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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, : CRIMINAL CASE NUMBER
PLAINTIFF :
 :
VERSUS : 18-CR-368-1
 :
DAMILARE SONOIKI, :
DEFENDANT :

JULY 29, 2021
COURTROOM 10A
PHILADELPHIA, PA 19106

BEFORE THE HONORABLE GENE E.K. PRATTER, J.

SENTENCING HEARING

APPEARANCES:

DAVID J. IGNALL, ESQUIRE
EILEEN CASTILLA ZELEK, ESQUIRE
ASSISTANT UNITED STATES ATTORNEYS
615 CHESTNUT STREET, SUITE 1250
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COUNSEL FOR THE GOVERNMENT

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PROCEEDINGS RECORDED BY STENOGRAPHY-COMPUTER,
TRANSCRIPT PRODUCED BY COMPUTER-AIDED TRANSCRIPTION

1 CONTINUED APPEARANCES:

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5 601 WALNUT STREET
6 PHILADELPHIA, PA 19106

7 COUNSEL FOR THE DEFENDANT

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1 (CLERK OPENS COURT.)

2 THE COURT: GOOD MORNING, EVERYBODY.

3 PLEASE TAKE YOUR SEATS AND MAKE YOURSELF COMFORTABLE.

4 ALL COUNSEL: GOOD MORNING.

5 THE COURT: WE ARE HERE FOR THE SCHEDULED
6 SENTENCING HEARING IN THE CASE OF THE UNITED STATES OF
7 AMERICA VERSUS -- IS IT SONOIKI?

8 MR. WILSON: SONOIKI, YOUR HONOR.

9 THE COURT: SONOIKI, WHICH IS DOCKETED ON
10 THE CRIMINAL DOCKET AT 18-368.

11 AS THE LAWYERS AND THEIR COLLEAGUES HAVE
12 COME TO APPRECIATE, IN THIS COURTROOM AS LONG AS THOSE
13 THAT YOU ARE AROUND ARE COMFORTABLE WITH IT, YOU NEED
14 NOT WEAR YOUR MASKS. IF YOU WISH TO, THAT'S FINE. BUT
15 THEN YOU WILL HAVE TO SPEAK VERY CLEARLY FOR OUR COURT
16 REPORTER.

17 COUNSEL, IF YOU WILL IDENTIFY YOURSELVES
18 FOR THE RECORD WE WILL GO FROM THERE.

19 MR. IGNALL: GOOD MORNING, YOUR HONOR,
20 DAVID IGNALL FOR THE UNITED STATES.

21 MS. ZELEK: EILEEN ZELEK, ALSO ON BEHALF
22 OF THE UNITED STATES.

23 THE COURT: AND WITH YOU-ALL YOU HAVE?

24 MR. IGNALL: AT COUNSEL TABLE WE HAVE FBI
25 SPECIAL AGENTS KELLY MILLIMAN AND PATRICK DUFFY. AND

1 ALSO SPECIAL AGENT PATRICIA CURREN IN THE GALLERY.

2 THE COURT: WELCOME TO ALL OF YOU.

3 MR. WILSON.

4 MR. WILSON: MARK WILSON FROM THE FEDERAL
5 DEFENDERS ON BEHALF OF DAMILARE SONOIKI, AND HE IS
6 OBVIOUSLY SITTING NEXT TO ME.

7 THE COURT: OKAY. AND MR. CORPORA, HOW
8 ARE YOU?

9 THE PROBATION OFFICER: GOOD MORNING,
10 YOUR HONOR, MARK CORPORA FROM THE U.S. PROBATION OFFICE.

11 THE COURT: THANK YOU VERY MUCH FOR YOUR
12 INPUT AND YOUR WORK, IT'S VERY USEFUL AND HELPFUL AS
13 ALWAYS.

14 SO LET'S START OUT BY HAVING THE
15 DEFENDANT STAND UP AND BE SWORN IN.

16 (DEFENDANT SWORN.)

17 THE DEPUTY CLERK: COULD YOU PLEASE HAVE
18 A SEAT AND STATE YOUR FULL NAME AND SPELL YOUR LAST NAME
19 FOR THE RECORD.

20 THE DEFENDANT: DAMILARE SONOIKI,
21 S-O-N-O-I-K-I.

22 BY THE COURT:

23 Q. OKAY. HOW ARE YOU TODAY, SIR?

24 A. I AM OKAY TODAY.

25 Q. GOOD. YOU KNOW, THIS HEARING IS GOING TO BE

1 ALMOST ENTIRELY ABOUT YOU, AND IT'S GOING TO SOUND --
2 MANY THINGS ARE GOING TO SOUND VERY TECHNICAL AND A LOT
3 OF NUMBERS AND THINGS OF THAT SORT. BUT AS I TRY TO
4 EXPLAIN TO EVERYBODY, ALL OF THAT TECHNICAL STUFF REALLY
5 IS THE PRELUDE TO THE PART OF THIS HEARING THAT FOCUSES
6 ON DETERMINING WHAT SENTENCE IS FAIR AND REASONABLE FOR
7 YOU AS AN INDIVIDUAL AND THAT IT REFLECTS IN LARGE PART
8 WHAT YOU HAVE EARNED FOR YOURSELF. NOT UNLIKE SCHOOL,
9 AS I LIKE TO SAY, THIS PROCESS DOES INVOLVE THE NET
10 RESULT OF WHAT YOU HAVE DONE ON YOUR OWN ACCOUNT. WHEN
11 YOU WERE IN SCHOOL YOU TURNED IN A PAPER OR A TEST, IT
12 COMES BACK WITH A GRADE ON IT. RATHER THAN SAYING THAT
13 THE TEACHER, QUOTE, GAVE, CLOSE QUOTE, THE STUDENT A
14 GRADE. IT'S NOT A GIFT. IN FACT, IT'S SUPPOSED TO
15 REFLECT WHAT THE STUDENT PUT INTO THE EFFORT. A GOOD
16 GRADE TYPICALLY REFLECTS EFFORT ON THE PART OF THE
17 STUDENT, AND A LESS-GOOD GRADE MAYBE OFTENTIMES SUGGESTS
18 THAT'S THE STUDENT'S INPUT WAS NOT SO IMPRESSIVE.

19 THIS IS NOT FAR OFF FROM THAT CONCEPT.
20 THAT'S WHY I AM GOING TO BE LOOKING AT A NUMBER OF
21 THINGS IN YOUR RELATIVELY RECENT LIFE, NOT ONLY WHAT YOU
22 DID HERE TO LAND YOURSELF IN THE CHAIR BEING A DEFENDANT
23 IN A FEDERAL CRIMINAL PROCEEDING, BUT ALSO OTHER THINGS
24 IN YOUR LIFE AND WHAT YOU SEE IN YOUR FUTURE. SO WE
25 WILL FOCUS ON THAT, BECAUSE THAT REFLECTS THE FACT THAT

1 I AM NOT HERE TO PRESIDE OVER SOME SORT OF AN ASSEMBLY
2 LINE. AND THE LAWYERS HAVE HEARD ME SAY THAT OVER AND
3 OVER AGAIN, BUT I HOPE THAT THEY KNOW THAT'S TRULY MY
4 VIEW OF THIS PROCESS.

5 AND IT'S -- FRANKLY, SENTENCING IS TOUGH.
6 IT'S TOUGH FOR EVERYBODY. OBVIOUSLY IT'S TOUGH FOR THE
7 PERSON WHO SITS IN YOUR CHAIR, BUT ACTUALLY IT'S NOT
8 THAT EASY FOR THE REST OF THE FOLKS HERE. THE LAWYERS
9 HAVE PUT IN A LOT OF WORK. MR. CORPORA HAS AS WELL, AS
10 YOU KNOW, BECAUSE HE HAS WRITTEN A VERY LONG REPORT
11 ABOUT YOU AND YOUR SITUATION. AND THE COURT HAS ALSO
12 DEVOTED TIME TO CONTEMPLATING WHAT IS THE APPROPRIATE
13 RESPONSE TO YOUR CONVICTION IN YOUR SITUATION. ALL OF
14 THAT REFLECTS THE FACT THAT THIS IS A VERY HUMAN ASPECT
15 OF OUR CRIMINAL JUSTICE SYSTEM, AND IT'S NOT SOME
16 ROBOTIC EXERCISE.

17 SO, I EXPECT YOU TO PAY CLOSE ATTENTION
18 TO WHAT IS DISCUSSED HERE. THERE WILL BE A POINT, AND I
19 KNOW MR. WILSON HAS EXPLAINED THIS TO YOU. THERE WILL
20 BE A POINT A LITTLE BIT LATER WHERE I WILL INVITE YOU TO
21 SAY ANYTHING YOU THINK I SHOULD KNOW, OR ANYBODY ELSE
22 SHOULD KNOW. AND THAT WILL BE BEFORE I HEAR FROM MR.
23 IGNALL, AND, OF COURSE, BEFORE I ANNOUNCE THE SENTENCE
24 THAT I THINK IS FAIR AND REASONABLE UNDER THE
25 CIRCUMSTANCES.

1 SO YOU WILL HAVE MY ATTENTION, AND I
2 EXPECT TO HAVE YOURS. DO WE HAVE A DEAL?

3 A. YES, YOUR HONOR.

4 Q. GOOD.

5 THE COURT: MR. IGNALL, WOULD YOU ONCE
6 AGAIN STATE THE CHRONOLOGICAL PROCEDURAL BACKGROUND OF
7 THIS CASE?

8 MR. IGNALL: YES, YOUR HONOR.

9 ON AUGUST 29TH OF 2018, THE UNITED STATES
10 ATTORNEY'S OFFICE FILED A TWO-COUNT INFORMATION CHARGING
11 MR. SONOIKI AND HIS CO-DEFENDANT MARVIN MYCHAL KENDRICKS
12 WITH ONE COUNT OF CONSPIRACY TO COMMIT SECURITIES FRAUD,
13 AND ONE COUNT OF SECURITIES FRAUD. ON SEPTEMBER 19TH OF
14 2018, THE DEFENDANT APPEARED BEFORE YOUR HONOR AND
15 ENTERED A GUILTY PLEA TO COUNTS 1 AND 2 PURSUANT TO A
16 WRITTEN GUILTY PLEA AGREEMENT.

17 THE COURT: AND THAT'S ABOUT IT.

18 MR. IGNALL: AND THAT WHERE WE ARE.

19 THE COURT: OKAY. THANK YOU VERY MUCH,
20 MR. IGNALL.

21 I HAVE HERE, AS AN INITIAL MATTER, THE
22 GOVERNMENT'S REQUEST TO SEAL ITS MOTION FOR DOWNWARD
23 DEPARTURE, AND I TAKE IT THERE IS NO OBJECTION TO THAT?

24 MR. WILSON: THERE IS NO OBJECTION, YOUR
25 HONOR. I WOULD JUST ALERT THE COURT THAT MY CLIENT HAS

1 CONFIDED IN ALL OF HIS RELATIVES AND FAMILY FRIENDS WHO
2 ARE HERE THAT HE DID COOPERATE, JUST SO YOUR HONOR
3 KNOWS. BUT THERE ARE SOME THINGS WE WILL WANT TO DO AT
4 SIDEBAR.

5 THE COURT: THERE ARE THINGS TO DO AT
6 SIDEBAR?

7 MR. IGNALL: YES. WE HAVE THE 5K
8 DISCUSSION THAT WILL LAST FOR -- SIDEBAR FOR PART OF IT,
9 YOUR HONOR.

10 THE COURT: OKAY. WELL, IN THE MEANTIME
11 I HAVE SIGNED OFF ON THE ORDER WITH RESPECT TO THE
12 PAPERWORK. AND I TAKE IT THAT SHOULD COVER THE
13 TRANSCRIPT AS WELL? OR NOT?

14 MR. IGNALL: I PROBABLY -- LET ME CHECK
15 WITH MR. WILSON.

16 THE COURT: BEFORE YOU ACTUALLY GIVE ME
17 AN ANSWER TO THAT, YOU SHOULD KNOW THAT THE COURT HAS
18 RECEIVED INQUIRY FROM SOME SORT OF REPORTING SERVICE
19 ASKING FOR -- TO ACTUALLY PARTICIPATE REMOTELY IN THIS
20 PROCEEDING, WHICH I SAID WAS NOT AVAILABLE. BUT THERE
21 IS, AS YOU KNOW, THE ABILITY FOR THIRD PARTIES TO, AFTER
22 A COUPLE OF DAYS, SECURE A COPY OF THE RECORDING OF
23 THESE HEARINGS. SO IF THERE IS SOME CONCERN, I WILL
24 NEED TO KNOW THAT SO THAT I CAN HAVE THE SEAL ORDER
25 COVER THAT AS WELL.

1 (DISCUSSION OFF THE RECORD BETWEEN THE
2 ATTORNEYS.)

3 MR. IGNALL: I THINK WE CAN LIMIT THIS TO
4 SEALING JUST THE DISCUSSION OF THE 5K.

5 THE COURT: OKAY. WHATEVER YOU WANT. I
6 JUST NEED TO KNOW, AND WE NEED TO BE ABLE TO DO IT.

7 MR. IGNALL: OKAY.

8 THE COURT: MR. COYLE, DO YOU KNOW IF WE
9 CAN PICK AND CHOOSE WHAT WE -- WHAT PART OF THE TAPE
10 IS --

11 (DISCUSSION OFF THE RECORD.)

12 THE COURT: IN ADDITION TO THE SEALING
13 MEMORANDUM AND MOTION, I AM AWARE OF THE GOVERNMENT'S
14 5K1.1 MOTION BUT NO OTHER TECHNICAL MOTIONS, IS THAT
15 RIGHT?

16 MR. IGNALL: THAT'S CORRECT, YOUR HONOR.

17 MR. WILSON: AND THERE IS NONE FROM THE
18 DEFENSE, YOUR HONOR.

19 THE COURT: SO IN CONNECTION WITH THE
20 SENTENCING, I HAVE RECEIVED MR. CORPORA PRESENTENCE
21 INVESTIGATION REPORT. IT WAS ORIGINALLY PREPARED ON
22 DECEMBER 4, 2018. IT WAS THEN REVISED JUNE 25, 2019.
23 AND THEN MOST RECENTLY, THANK YOU VERY MUCH, REVISED
24 AGAIN JULY 26, 2021.

25 I HAVE RECEIVED THE GOVERNMENT'S

1 SENTENCING MEMORANDUM, AND I HAVE RECEIVED THE DEFENSE
2 MEMORANDUM ALONG WITH QUITE A NUMBER OF LETTERS FROM
3 FRIENDS AND FAMILY, INCLUDING I BELIEVE SOME HAVE COME
4 IN EVEN THIS MORNING.

5 MR. WILSON: I SENT THEM YESTERDAY, YOUR
6 HONOR, BUT YOUR HONOR MIGHT NOT HAVE SEEN THEM UNTIL
7 TODAY. THERE WAS A LETTER THAT I RECEIVED YESTERDAY
8 FROM A FRIEND OF HIS. ACTUALLY, SOMEBODY WHO HELPED HIM
9 OBTAIN THE MATTERS OF EMPLOYMENT THAT HE HAS RIGHT NOW.
10 AND THEN YOU PROBABLY RECEIVED MY CLIENT'S STATEMENT
11 THAT HE ALSO INTENDS TO SPEAK ON TODAY.

12 THE COURT: RIGHT, I WOULD THINK SO.
13 OKAY. RATHER THAN LISTING THEM OFF ALL BY -- RATHER THAN
14 LISTING BY NAME THE VARIOUS FOLKS THAT HAVE WRITTEN TO
15 ME TO TELL ME THEIR PERSPECTIVE ABOUT YOU, SIR, I WILL
16 JUST ASK MERELY ASK MR. IGNALL, HAVE YOU AND YOUR
17 COLLEAGUES, AS FAR AS YOU KNOW, HAD AN OPPORTUNITY TO
18 SEE THESE MATERIALS?

19 MR. IGNALL: YES, YOUR HONOR.

20 THE COURT: AND TO THE EXTENT ANY OF THE
21 LETTER WRITERS ARE HERE IN COURT, I WANT TO TELL YOU I
22 VERY MUCH APPRECIATE THE FACT THAT YOU TOOK THE TIME TO
23 SEND CORRESPONDENCE AND GIVE ME YOUR PERSPECTIVE. THAT
24 DOES NOT MEAN YOU CANNOT SPEAK IF YOU WISH, BUT I DO
25 WANT YOU TO KNOW THAT I APPRECIATE IT, AND I AM CERTAIN

1 MR. SONOIKI DOES AS WELL. AND I DO HAVE YOUR STATEMENT,
2 SIR, YOUR LETTER.

3 HAVE YOU SEEN, BY THE WAY, A COPY OF
4 THESE VARIOUS MATERIALS, PARTICULARLY MR. CORPORA'S
5 REPORT AND THE GOVERNMENT'S SUBMISSIONS?

6 MR. WILSON: WE WENT OVER IT YESTERDAY,
7 YOUR HONOR, THE MOST RECENT REPORT THAT WAS PROVIDED --

8 THE COURT: THE REVISIONS TO THE --

9 MR. WILSON: -- WE SAW THE REVISIONS.
10 THERE ARE A COUPLE OF MATTERS THAT I GUESS DIDN'T COME
11 UP IN THE CONVERSATION WITH MR. CORPORA AND MY CLIENT
12 REGARDING HIS FINANCIAL STATUS. I WOULD JUST LIKE TO --

13 THE COURT: WOULD YOU LIKE TO SUPPLEMENT?
14 DO YOU WANT THAT AT SIDEBAR?

15 MR. WILSON: YES, YOUR HONOR.

16 THE COURT: WHY DON'T WE DO IT NOW SO
17 THAT I DON'T FORGET.

18 MR. WILSON: THANK YOU. AND THIS PART
19 DOES NOT HAVE TO BE SEALED, YOUR HONOR.

20 (AT THIS TIME SIDEBAR ONE OCCURRED, AND
21 WAS PLACED IN A SEPARATE BOOKLET.)

22 THE COURT: NOW, THE SENTENCING
23 GUIDELINES, AS EVERYBODY HERE KNOWS, ARE NOT MANDATORY,
24 BUT THEY ARE A VERY IMPORTANT PART OF THIS PROCESS.
25 THEY ARE THE RESULT OF A LOT OF PEOPLE WHOSE JOB IT IS

1 TO DO THIS, GATHERING UP ALL SORTS OF EMPIRICAL DATA
2 FROM ALL AROUND THE COUNTRY OVER MANY YEARS AND MANY
3 DEFENDANTS AND PUTTING THEM INTO A -- KIND OF A SYSTEM
4 OR GRID, SO TO SPEAK, TO HELP DEFENDANTS AND LAWYERS AND
5 COURTS TRY AND PUT INTO SOME PATTERN HOW VARIOUS CRIMES
6 HAVE BEEN RESPONDED TO BY SENTENCING COURTS ALL AROUND
7 THE COUNTRY. SO THAT THERE IS SOME SENSE OF WHAT THE
8 RISKS ARE AND THE UPSIDE AND DOWNSIDE IN VARIOUS CASES,
9 DEPENDING UPON THE SPECIFIC FACTS AND CIRCUMSTANCES OF
10 EVERY INDIVIDUAL CASE.

11 I RECOGNIZE THAT I AM REQUIRED TO LOOK AT
12 THE GUIDELINES AS PART OF A CONSIDERATION OF THE LEGAL
13 -- THE FACTORS BY LAW THAT I HAVE TO CONSIDER IN THE
14 SENTENCING, AND THAT IS A LAW THAT IS SET OUT IN TITLE
15 18 IN THE UNITED STATES CODE SECTION 3553(A). SO THE
16 OBLIGATION OF THE COURT IS TO DETERMINE WHAT THE
17 APPLICABLE OR THE ARGUABLY APPLICABLE GUIDELINES ARE FOR
18 YOU. AND ONCE I DO THAT, I HAVE TO THEN LOOK AT ANY
19 ADDITIONAL FACTS THAT ARE APPROPRIATE FOR COMING TO A
20 FAIR, REASONABLE SENTENCE IN THIS CASE. THAT WOULD BE
21 TRUE WHETHER OR NOT THERE WERE ANY OBJECTIONS TO THE
22 REPORT. AND OTHER THAN THE SUPPLEMENTS TO THE
23 INFORMATION IN THE REPORT THAT WE JUST TALKED ABOUT AT
24 SIDEBAR, MY INFORMATION IS THERE ARE NO OBJECTIONS TO
25 THE REPORT BY EITHER THE GOVERNMENT OR THE DEFENSE, IS

1 THAT CORRECT?

2 MR. IGNALL: THAT'S CORRECT, YOUR HONOR.

3 MR. WILSON: THERE ARE NONE, NO.

4 THE COURT: THANK YOU VERY MUCH.

5 SO I AM GOING TO BE ADOPTING THE
6 UNCONTESTED ISSUES IN THE PRESENTENCE INVESTIGATION
7 REPORT. AND NOW I WILL ADDRESS THE 5K.1 MOTION
8 SEPARATELY. BUT FIRST, LET ME LAY OUT THE LANDSCAPE
9 HERE STARTING WITH THE GUIDELINES RANGE THAT AT LEAST
10 ARGUABLY START WITH WHAT WOULD BE CONSIDERED BY THE
11 GUIDELINES PEOPLE, THE SENTENCING COMMISSION, AS
12 REASONABLE. I AM STILL GOING TO MAKE AN INDIVIDUALIZED
13 ASSESSMENT, SIR, BUT THIS IS PART OF THE PROCESS OF
14 WHERE WE START.

15 AND IT'S PRETTY OBVIOUS THAT A JUDGE IS
16 PUT IN A POSITION OF EVALUATING SOMEBODY AND THEIR
17 SUPPORTERS OR FAMILY, THEIR FRIENDS, BUT ALSO THEIR
18 VICTIMS. AND I AM VERY COMMITTED TO THE IDEA OF
19 REMINDING PEOPLE THAT EVEN THOUGH THERE IS NOT SOMEBODY
20 HERE FIGURATIVELY BLEEDING ON THE CARPET AS A VICTIM,
21 THERE ARE PEOPLE WHO ARE VICTIMIZED IN THE SYSTEM, AS AN
22 ENTIRE COMMUNITY THAT IS VICTIMIZED BY THIS KIND OF A
23 CRIME, ABUSING THE FINANCIAL SYSTEM THAT IS ACTUALLY
24 RATHER PRECARIOUSLY BALANCED FOR THE REST OF THE
25 COMMUNITY. AND WHEN SOMEBODY INTRUDES UPON THE

1 INTEGRITY OF THAT SYSTEM BY COMMITTING A CRIME SUCH AS
2 YOURS, THEN EVERYBODY IS A VICTIM. AND IT'S PART OF MY
3 JOB TO REMEMBER THAT, AND TO MAKE SURE THAT NOBODY
4 FORGETS THAT JUST BECAUSE NOBODY IS HERE MAKING SOME
5 TERRIBLE STATEMENT ABOUT HOW YOUR CONDUCT LED TO THEIR
6 WRACK AND RUIN.

7 I DO LOOK TO IMPORTANT INPUT FROM THE
8 PROSECUTOR, FROM THE PROBATION OFFICE AND FROM YOUR
9 LAWYER, AS WELL AS ALL OF THESE LETTERS THAT I HAVE READ
10 AND REVIEWED. ALL OF THAT ACTUALLY SHOULD REMIND
11 EVERYONE OF US THAT EVERY SENTENCING IN EVERY CRIMINAL
12 CASE GIVES US ANOTHER OPPORTUNITY TO RECOGNIZE THAT --
13 YOU KNOW, THAT EVERY CASE MAY SUGGEST THAT SOMEBODY IS A
14 BIGGER PROBLEM THAN THEY REALLY ARE, OR CONTRARY, TO THE
15 CONTRARY, IT MAY BE THAT THERE IS MORE OF A PROBLEM
16 GOING ON THAN THE SURFACE MIGHT DISCLOSE. THAT IS
17 WHY -- AS I REMIND THE LAWYERS, THAT'S WHY WHEN THEY
18 COME HERE FOR A SENTENCING HEARING THEY HAVE TO CLEAR
19 THEIR CALENDAR A FEW MORE SEGMENTS OF TIME THAN THEY
20 MIGHT IN OTHER CASES.

21 OKAY. LET ME JUST REMIND YOU, THOUGH,
22 THAT YOUR SENTENCING ACTUALLY STARTED BACK WHEN YOU
23 DECIDED TO PLEAD GUILTY. BECAUSE AT THAT TIME, I AM
24 SURE YOU REMEMBER, WE TALKED ABOUT WHAT THE UPSIDE OR
25 DOWNSIDE RISKS FOR YOU WERE IN TERMS OF PUNISHMENT IF

1 YOU WERE CONVICTED OF THESE CRIMES.

2 DO YOU REMEMBER THAT?

3 THE DEFENDANT: I DO, YOUR HONOR.

4 THE COURT: SO THAT WAS REALLY THE START
5 OF THE SENTENCING PROCESS, AND THIS IS THE NEXT PHASE OF
6 THAT.

7 TURNING TO THE GUIDELINES IN YOUR CASE
8 AND USING THE 2018 GUIDELINES MANUAL, WE START OUT BY
9 PUTTING THE TWO COUNTS THAT YOU ARE CONVICTED OF
10 TOGETHER, GROUPING THEM, BECAUSE COUNT 1 IS A CONSPIRACY
11 AND COUNT 2 IS A SUBSTANTIVE CHARGE, SO THE GUIDELINES
12 SYSTEM PUTS THEM TOGETHER. A VIOLATION OF TITLE 15,
13 UNITED STATES CODE, SECTION 78(J)(B) IS FOUND IN
14 GUIDELINE 2B1.4, CALLING FOR A BASE OFFENSE LEVEL OF
15 EIGHT. TECHNICALLY BECAUSE OF THE WAY THESE KINDS OF
16 CRIMES ARE ADDRESSED IN THE GUIDELINES, WE FOCUS A LOT
17 ON THE AMOUNT OF MONEY INVOLVED IN THE ILL-GOTTEN AND
18 ILL-MADE INVESTMENTS. HERE, BASED ON THE MATERIAL
19 NONPUBLIC INFORMATION THAT WAS PROVIDED BY YOU, THERE
20 WERE OTHERS WHO, AT LEAST FOR A MOMENT MATERIALLY,
21 REGISTERED CERTAIN FINANCIAL GAINS UPWARDS OF A
22 \$1,300,000 AFTER PURCHASING CERTAIN STOCKS RELATING TO
23 CLIENTS OF THE FIRM FOR WHICH YOU WORKED AT THE TIME.
24 SO THAT TAKES ME TO LOOK AT GUIDELINE 2B1.4(B)(1) AND
25 1(H) -- (B)(1)(H). AND THAT WOULD CALL FOR AN ADDITION

1 OF 14 LEVELS UNDER THE CALCULATION SYSTEM.

2 YOUR ROLE -- AND THIS IS ACTUALLY A
3 FAIRLY IMPORTANT PART OF THIS CASE. YOUR ROLE IN THE
4 OFFENSE WAS THAT YOU WERE IN A POSITION OF TRUST WHICH
5 YOU THEN ABUSED. AND THAT'S WHY TWO LEVELS ARE ADDED
6 PURSUANT TO GUIDELINE 3B1.3. AT THE TIME, AS WE ALL
7 KNOW, YOU WERE AN ASSOCIATE AT GOLDMAN SACHS. YOU HAD A
8 FIDUCIARY DUTY TO TREAT CLIENT INFORMATION WITH
9 INTEGRITY AND CONFIDENTIALITY, AND THAT IS WHY THE TWO
10 LEVELS ARE ADDED, BECAUSE YOU DID NOT DO SO. SO THAT
11 TAKES YOUR ADJUSTED OFFENSE LEVEL SUBTOTAL TO 24 FROM
12 WHICH THREE LEVELS ARE TAKEN AWAY BECAUSE YOU DID ACCEPT
13 YOUR RESPONSIBILITY FOR YOUR CRIMINAL CONDUCT, AND YOU
14 DID SO PROMPTLY. WE WILL TALK A LITTLE BIT MORE ABOUT
15 THE ASSISTANCE YOU PROVIDED TO THE AUTHORITIES WHEN MR.
16 IGNALL TALKS ABOUT THE MOTION THAT THE GOVERNMENT HAS
17 FILED.

18 BUT GUIDELINE 3E1.1(A) AND (B) AUTHORIZE
19 THE REMOVAL OF THREE LEVELS. THAT TAKES THE TOTAL
20 OFFENSE LEVEL TO 21. GOOD NEWS FOR YOU, YOU HAVE NO
21 PRIOR CRIMINAL HISTORY, SO YOUR CRIMINAL HISTORY SCORE
22 IS ZERO, AND THAT PUTS YOU IN CATEGORY 1.

23 SO WITHOUT ADDRESSING YET THE 5K.1
24 MOTION, WHICH IS PROVIDING SUBSTANTIAL ASSISTANCE AND
25 HOW THAT MIGHT WORK IN YOUR CASE, THE GUIDELINES --

1 YOU'RE AT A TOTAL OFFENSE LEVEL OF 21, CRIMINAL HISTORY
2 CATEGORY 1, THE GUIDELINES WOULD CALL FOR A PERIOD OF
3 INCARCERATION BETWEEN 37 AND 46 MONTHS FOLLOWED BY 1 TO
4 3 YEARS OF SUPERVISED RELEASE. UNDER THE GUIDELINES
5 SYSTEM, YOU ARE NOT ELIGIBLE FOR PROBATION. YOU ARE
6 SUBJECT TO A FINE OF BETWEEN \$7,500 AND \$5,000,000. AND
7 WITHOUT ANY QUESTION, YOU ARE SUBJECT TO A SPECIAL
8 ASSESSMENT OF \$200, AND THAT'S \$100 PER COUNT. THAT'S
9 ALWAYS THERE.

10 COUNSEL, DO YOU AGREE THAT THAT IS THE
11 WAY THE GUIDELINE SYSTEM WORKS?

12 MR. IGNALL: YES, YOUR HONOR.

13 MR. WILSON: I DO, YOUR HONOR.

14 THE COURT: FINE. THEN LET ME TURN TO
15 MR. WILSON AND ASK YOU TO PRESENT ANY EVIDENCE,
16 WITNESSES OR ADDITIONAL REMARKS ON BEHALF OF YOUR
17 CLIENT, RECOGNIZING THAT I HAVE READ THE MATERIALS. I
18 WOULD LIKE TO TAKE A MINUTE, THOUGH, AND READ WHAT CAME
19 IN --

20 MR. WILSON: YES, YOUR HONOR.

21 THE COURT: -- YESTERDAY.

22 MR. WILSON: OF COURSE, YOUR HONOR. AND
23 MAYBE THIS IS IMPORTANT TIMING. THERE IS -- THE
24 GOVERNMENT HAS PROPOSED, AND WE HAVE AGREED TO AN
25 UNUSUAL PROCEDURE IN THAT WHEN MY CLIENT INITIALLY

1 SIGNED HIS PLEA AGREEMENT, HE HAD AGREED TO POSTPONE
2 SENTENCING UNTIL THE DATE THAT HIS COOPERATION WAS GOING
3 TO --

4 THE COURT: NO, I AM NOT GOING TO GO INTO
5 HOW ANNOYING --

6 MR. WILSON: I UNDERSTAND THAT.

7 THE COURT: -- IT HAS BEEN FOR THE COURT
8 TO SCHEDULE THIS.

9 MR. WILSON: SO THE GOVERNMENT HAS
10 PROPOSED THAT ESSENTIALLY MY CLIENT TESTIFY, AT LEAST IN
11 A CURSORY MANNER, ABOUT THE -- WHAT THE SUBJECT MATTER
12 THAT HE MIGHT TESTIFY TO -- HAVE TO TESTIFY TO.

13 THE COURT: LET ME -- MR. WILSON, SINCE I
14 JUST RECENTLY WENT THROUGH THIS --

15 MR. WILSON: I UNDERSTAND.

16 THE COURT: -- LET ME ARTICULATE THAT
17 IT'S -- IN MY VIEW, IT'S NOT ACTUALLY TESTIFYING IN A
18 TRIAL PROCEEDING BECAUSE THE DEFENDANT IN THAT
19 PROCEEDING IS NOT HERE AND THERE IS NO CROSS
20 EXAMINATION.

21 MR. WILSON: AND I FULLY UNDERSTAND THAT.

22 THE COURT: AND SO IT WILL NOT -- AND MR.
23 IGNALL, I THINK, WILL PROBABLY DO THE SAME THING HE DID
24 LAST TIME AND NOT TURN THIS INTO A ONE-SIDED EX-PARTE
25 TESTIMONY. BUT IT'S PERFECTLY FINE AND A RECOGNIZABLE

1 PART OF THE PROCESS THAT IN EXPLAINING WHY HE IS
2 COOPERATING AND THE EXTENT TO WHICH HE IS COOPERATING
3 AND HIS INTENTION TO REMAIN AVAILABLE AND TO APPEAR IN
4 ANY TRIAL, MR. SONOIKI CAN SPEAK TO ME UNDER OATH ABOUT
5 HOW HE GOT INTO THIS SITUATION AND WHAT HE KNOWS ABOUT
6 IT AND WHY HE COOPERATED.

7 IS THAT A FAIR LANDSCAPE FOR YOU ALL TO
8 WORK WITH?

9 MR. WILSON: THAT'S WHAT I UNDERSTOOD WAS
10 GOING TO HAPPEN, YOUR HONOR.

11 THE COURT: YOU ARE ALWAYS LOOKING
12 PUZZLED AT ME, MR. IGNALL.

13 MR. IGNALL: I LOOK PUZZLED ALL THE TIME.

14 I ENVISION, SIMILAR AS WE DID LAST WEEK,
15 THAT THIS WOULD BE SIMILAR TO BUT DISTINCT FROM MR.
16 SONOIKI'S ALLOCUTION WHERE MR. WILSON WOULD ASK HIM
17 QUESTIONS UNDER OATH ABOUT HIS CONDUCT AND HIS POTENTIAL
18 FUTURE TESTIMONY. AND THEN TO THE EXTENT MR. SONOIKI
19 WANTS TO TALK ABOUT ANYTHING ELSE, HE CAN DO THAT AS
20 PART OF HIS ALLOCUTION.

21 THE COURT: YES, THAT'S FINE. I JUST
22 WANT TO MAKE IT VERY CLEAR SO THAT IF THIS COMES UP
23 AGAIN THAT NOBODY BELIEVES THAT THERE HAS BEEN ANY KIND
24 OF EX-PARTE TESTIMONY FOR A TRIAL WHERE THE DEFENDANT IN
25 SUCH A TRIAL IS NOT HERE TO CROSS-EXAMINE.

1 MR. IGNALL: YES, AND TO THE EXTENT THIS
2 QUALIFIES UNDER RULE 801, IT WOULD BE SOMETHING YOUR
3 HONOR WOULD HAVE TO TAKE UP WITH THE PARTIES AT A FUTURE
4 PROCEEDING. I AGREE, YOUR HONOR.

5 THE COURT: OKAY.

6 MR. WILSON: YOUR HONOR, I GUESS MY
7 ORIGINAL QUESTION WAS MORE TOWARDS THE ORDER IN WHICH WE
8 WERE GOING TO DO ALL OF THIS.

9 THE COURT: I CAN KEEP IT STRAIGHT.
10 HOWEVER YOU WOULD LIKE TO DO IT. I WOULD LIKE TO KEEP
11 IT AS TYPICAL AS POSSIBLE, SO IF YOU HAVE ANY WITNESSES
12 TO CALL WE CAN DO THAT.

13 MR. WILSON: I DO KNOW, YOUR HONOR, WE
14 HAVE SEVEN PEOPLE WHO HAVE COME TO COURT ON BEHALF OF
15 MR. SONOIKI, INCLUDING HIS MOTHER AND FATHER, WHO
16 TRAVELED A GREAT DISTANCE, AND SOME MAY BE A LITTLE
17 LESSER ASSISTANCE. BUT I HAVE TOLD THEM THAT THEY HAVE
18 THE OPPORTUNITY TO SPEAK TO YOUR HONOR, AND I DID NOT
19 HAVE A FINAL DECISION ON WHO ACTUALLY WANTS TO SPEAK.

20 THE COURT: YOU SHOULD ALL KNOW, YOU ARE
21 ALL WELCOME TO SPEAK IF YOU WISH.

22 MR. WILSON: I WILL TURN TO THEM AND ASK
23 WHOEVER WANTS TO SPEAK. YOU CAN SELF-SELECT WHO WANTS
24 TO COME UP FIRST.

25 THE COURT: WHY DON'T WE START -- YOU CAN

1 INTRODUCE ME TO EVERYBODY WHO DOES NOT SPEAK, BUT FIGURE
2 OUT WHO IS GOING TO COME UP AND SPEAK.

3 MR. WILSON: SO HIS MOTHER AND FATHER,
4 YOUR HONOR, SITTING ON YOUR LEFT. AND EVERYBODY ELSE
5 ARE EITHER FAMILY: AUNTS, UNCLE, COUSIN, OR LONGTIME
6 FRIENDS OF THE FAMILY.

7 THE COURT: OKAY.

8 THE DEPUTY CLERK: PLEASE RAISE YOUR
9 RIGHT HAND.

10 (WITNESS SWORN.)

11 THE DEPUTY CLERK: PLEASE STATE YOUR FULL
12 NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

13 THE WITNESS: MY NAME IS ANN SONOIKI,
14 A-N-N, ANN, SONOIKI, S FOR SUGAR, O FOR ORANGE, N FOR
15 NO, O FOR ORANGE, I FOR INK, K FOR KING, I FOR INK.

16 BY THE COURT:

17 Q. MS. SONOIKI, HOW ARE YOU TODAY?

18 A. I AM FINE, THANK YOU.

19 Q. I KNOW YOU NEVER EXPECTED TO BE IN SUCH A PLACE,
20 BUT WHAT WOULD YOU LIKE TO TELL ME?

21 A. GOOD MORNING, YOUR HONOR. AND GOOD MORNING, I
22 NEVER IMAGINED THAT THIS DAY WOULD COME, BUT IT HAS
23 COME. AND I JUST WANT TO SAY THAT AS A MOTHER, I RAISED
24 DAMILARE WITH COMPASSION, WITH MERCY, WITH INTEGRITY,
25 WITH HONESTY. AND I USED TO STRESS TO HIM NEVER FORGET

1 THE SON OF WHO YOU ARE, BECAUSE IN OUR FAMILY, WE ARE
2 VERY INTEGRITY, WE ARE VERY HONESTY. AND I KNOW THAT
3 DAMILARE HAS MADE A MISTAKE, BUT I AM ASKING, I AM
4 PLEADING AS A MOTHER WHOSE ONLY -- AS A MOTHER OF AN
5 ONLY CHILD, WHO HAS GREAT PROSPECTS, WHO HAS MADE A
6 MISTAKE. FOR YOU TO PLEASE HAVE MERCY, HAVE COMPASSION,
7 AND TEMPER JUSTICE WITH MERCY, AND PLEASE GIVE DAMILARE
8 A SECOND CHANCE. I HAVE NO DOUBT THAT HE HAS BEEN VERY
9 REMORSEFUL, BECAUSE WHAT HE HAS DONE HAS REALLY IMPACTED
10 OUR WHOLE FAMILY, OUR FRIENDS. LIKE I SAID, INTEGRITY,
11 HONESTY IS ONE OF THE THINGS THAT WE VALUE, WE VALUE
12 MORE THAN GOLD. FOR US, A GOOD NAME IS NOTHING AS GOOD
13 AS A GOOD NAME. EVERY OTHER THING, PILLS AND --

14 Q. YOU KNOW WHY WHAT THIS IS IS A CRIME? HAS IT
15 BEEN EXPLAINED TO YOU WHY WHAT YOUR SON DID IS SERIOUS?

16 A. YES, I DO. I DO, BECAUSE IT'S A BREACH OF
17 TRUST, YOU KNOW. BUT I WANT YOU TO PLEASE LOOK AT ME AS
18 A MOTHER, YOU KNOW, A MOTHER PLEADING FOR HER ONLY SON.
19 YOU KNOW, A MOTHER WHO RAISED HER SON AND NEVER EXPECTED
20 THAT I WOULD BE STANDING IN A COURTROOM, YOU KNOW,
21 PLEADING FOR HIS LIFE.

22 Q. YOU KNOW IT'S NOT YOUR FAULT?

23 A. I DO KNOW IT'S NOT MY FAULT, NO, BUT AT THE SAME
24 TIME, YOU KNOW, WHAT IMPACTS A SON IMPACTS THE MOTHER,
25 IMPACTS THE FATHER, IMPACTS THE FAMILY, CLOSE FRIENDS.

1 AND I CAN TELL THAT HE HAS SHOWN REMORSE AND THEY HAVE
2 HAD SEVERAL CONVERSATIONS. PLEASE, JUST HAVE MERCY AND
3 TEMPER JUSTICE WITH MERCY SO THAT HE WILL HAVE A SECOND
4 CHANCE, AND, YOU KNOW, HIS LIFE WILL NOT BE RUINED. HE
5 HAS SO MUCH AHEAD OF HIM, PLEASE.

6 Q. YOU KNOW, HE HAS GOT A SECOND -- I MEAN,
7 EVERYBODY HAS A SECOND CHANCE. YOU GET UP THE NEXT
8 MORNING, YOU HAVE A SECOND CHANCE. AND SO FROM THAT
9 STANDPOINT HE ALWAYS HAS A SECOND CHANCE. AND PRETTY
10 MUCH -- THERE IS GOING TO BE SOME DIFFICULTY, I WANT YOU
11 TO KNOW, FROM HAVING A CONVICTION ON HIS RECORD. BUT HE
12 IS GOING TO HAVE MANY OPPORTUNITIES. HE IS A RELATIVELY
13 YOUNG MAN, AND HE IS GOING TO HAVE OPPORTUNITIES TO
14 REGAIN YOUR TRUST. AND HE PROBABLY TAKES GREAT COMFORT
15 IN KNOWING THAT HIS PARENTS LOVE HIM VERY MUCH AND ARE
16 HERE FOR HIM TODAY.

17 A. THANK YOU, YOUR HONOR.

18 THE COURT: OKAY. YOU DIDN'T THINK YOU
19 COULD GET THROUGH THAT SAME LITTLE SPACE AS YOUR WIFE
20 DID?

21 THE WITNESS: NO.

22 THE COURT: I WOULDN'T TRY.

23 (WITNESS SWORN.)

24 THE DEPUTY CLERK: PLEASE STATE YOUR FULL
25 NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

1 THE WITNESS: MY NAME IS OLUSEUN SONOIKI.

2 FIRST NAME IS O-L-U-S-E-U-N, OLUSEUN. AND THE SURNAME
3 IS S-O-N-O-I-K-I.

4 BY THE COURT:

5 Q. MR. SONOIKI, WHAT WOULD YOU LIKE TO TELL ME
6 ABOUT YOUR SON?

7 A. YOUR HONOR, THIS IS A TERRIBLE DAY IN THE LIFE
8 OF OUR FAMILY. IT HAS BEEN TERRIBLE SINCE THE DAY WE
9 HEARD ABOUT IT. WE ARE SHATTERED, WE NEVER EXPECTED
10 THIS. WE HAVE SOME VALUES WHERE WE COME FROM, THAT IS
11 SAYING THAT A GOOD NAME IS BETTER THAN ALL THE MONEY IN
12 THIS WORLD. SO WE RAISE OUR CHILDREN AND WE FOCUS -- HE
13 IS THE ONLY ONE. THE WOMAN CAPTURED THIS IS MY ONLY
14 CHILD. HE IS MY ONLY CHILD. I DON'T HAVE ANY OTHER
15 CHILD BUT FOR HIM. AND WE EMPHASIZE, A GOOD NAME IS
16 BETTER THAN ALL THE MONEY IN THIS WORLD. CONTENTMENT IS
17 BETTER THAN ALL OF THE GLORY IN THIS WORLD. YOU CAN
18 HAVE ALL THE GLORY, IF YOU ARE NOT CONTENTED YOUR LIFE
19 IS RUINED. I KEPT EMPHASIZING THAT. I NEVER KNEW THIS
20 WOULD HAPPEN. WHENEVER I CALLED HIM ON THE PHONE ABOUT
21 THE POLICE ARREST OR ANYTHING, AND JUST FROM THE BLUE
22 THIS CAME. I SAID, HOW COULD THIS HAPPEN? LIFE HAS
23 NEVER BEEN THIS SAME SINCE. I WAS BORN IN --

24 Q. HAVE YOU NOTICED ANY CHANGES IN YOUR SON SINCE
25 THE FIRST -- SINCE WHEN THIS PROCESS BEGAN AND NOW?

1 A. HE CHANGED THE MOST IS THAT HE HAS BEEN VERY
2 DISMAL AND STAYS AT HOME AND MOST TIME HE IS CRYING. WE
3 HAVE TO FACE HIM LIKE A KID. LET'S WIN IT, LET'S KEEP
4 ON PRAYING. LET'S PROVE THE FIGHT FOR HIM. YOU HAVE
5 DONE SOMETHING THAT IS WRONG AND IT'S IMPERTINENT. YOUR
6 HONOR SAID THERE IS NO BLOOD, BUT THERE IS BLOOD.

7 Q. I WAS SPEAKING --

8 A. YES, I WAS TRYING TO DO THAT. THIS HAS TO DO
9 WITH THE VICTIMS. THERE ARE VICTIMS, AND WHOEVER DOES
10 THAT REALLY SHOULD BE PUNISHED. BUT WE ARE HERE TO SEEK
11 TEMPER JUSTICE WITH MERCY. I AM 62. THE BIBLE SAYS
12 THREE SCORE AND TEN YEARS. I MAYBE I DEAD BEFORE,
13 18 YEARS BEFORE THAT INJUNCTION. BUT HE HAS FAMILY, HE
14 STILL HAS DECADES AHEAD OF HIM. WE DON'T WANT THOSE
15 DECADES TO BE WASTED, WE WANT TO PLEAD. WE WANT TO
16 PLEAD FOR MERCY, FOR COMPASSION. THAT IS A SONG WE SING
17 IN THE HOUSEHOLD EVERY DAY. I HAVE SEEN THE LOVE,
18 GOODNESS, HIS MERCY. HAVE COMPASSION. I HAVE SEEN A
19 GOODNESS, HALLELUJAH, PRAISE THE LORD.

20 Q. TELL ME SOMETHING THAT YOUR SON HAS DONE FOR
21 OTHERS THAT YOU ARE VERY PROUD OF AS HIS FATHER.

22 A. THAT'S THE TRUTH ABOUT HIM, HE LIKES OLD PEOPLE.
23 I DON'T KNOW HOW AND WHY. HE'S ALWAYS -- WHENEVER HE
24 SEE OLD PEOPLE, HE IS ALL FULL OF COMPASSION. HE SHOWS
25 LOVE. WHEN HE WAS YOUNG HE WAS GOING TO OLD PEOPLE'S

1 HOMES TO VISIT AND COMFORT. WHEN HE IS AT HOME, WHEN HE
2 VISITS AFRICA, HE WANTS TO SEE THE OLD, THE OLD. I KEEP
3 ASKING HIM WHY WHERE DO YOU GET THIS LOVE FOR OLD
4 PEOPLE? HE SAID, WELL, HE ALSO PRAYS TO LIVE LONG AND
5 BE GOOD IN HIS LIFE. IF HE HAS GOOD INTENT, I DON'T
6 KNOW WHAT -- IT'S A TOUGH WORLD OUTSIDE THERE. AND
7 PERHAPS HE MIGHT NOT REALIZE THAT DREAM. PERHAPS HE
8 WOULD NOT ALSO HAVE THE PRIVILEGED OPPORTUNITY OF HAVING
9 PEOPLE SHOW COMPASSION ON HIM TOO, AS HE HAS SHOWN TO
10 THE OLD. THAT'S A TRAIT I NOTICED IN HIM. AND HE IS --
11 IF HE IS NOT HOME, SOMEBODY WHO DOES NOT -- HE DOESN'T
12 HAVE FRIENDS, HE DOESN'T HAVE PEOPLE TO COME TO HEARINGS
13 ALL THE TIME. AND HE IS READING ALL THE TIME. HE IS
14 READING NOW, WHY DON'T YOU MAKE FRIENDS, BUT HE WANTS TO
15 READ. IF HE GO TO THE MALL, HE WANTS TO GO TO THE BOOK
16 SHOP AND BUY BOOKS. HE DOESN'T WANT SHOES, HE DOESN'T
17 WANT WRISTWATCH, HE DOESN'T WANT ANYTHING BUT BOOKS AND
18 BOOKS AND BOOKS AND BOOKS ALL THE TIME. AND WE ARE SO
19 PROUD OF THAT, BUT WE NEVER KNEW THIS DAY WOULD COME.

20 Q. MR. SONOIKI, THE ONLY THING I CAN SAY TO YOU IS,
21 YOU KNOW, THIS PROCESS HAS A NATURAL LIFE TO IT, AND
22 THIS IS PART OF THAT LIFE. AND YOU COULD ON ONE LEVEL
23 SEE THIS TODAY AS THE START OF THINGS GETTING BETTER.
24 BECAUSE THIS DAY WAS ALWAYS GOING TO COME, SO YOU SHOULD
25 TAKE SOME RELIEF IN THE FACT THAT IT HAS HAPPENED TODAY,

1 AND NOW YOU KNOW WHAT THE RESULT IS GOING TO BE. BY THE
2 END OF THE DAY, YOU WILL KNOW THAT. AND THEN YOU JUST
3 BEGIN TO WORK FORWARD. I KNOW THAT SOUNDS A LITTLE
4 SHALLOW, BUT IT IS ABSOLUTELY THE TRUTH. YOU WILL BE
5 ABLE TO DEAL WITH THIS NO MATTER WHAT, BECAUSE I CAN SEE
6 YOU AND YOUR WIFE ARE VERY STRONG PEOPLE, AND YOU ARE
7 HERE TO HELP YOUR SON, TO SUPPORT HIM. AND I AM SURE HE
8 IS EXTREMELY APPRECIATIVE OF THAT.

9 A. WE PRAY FOR COMPASSION.

10 Q. I KNOW.

11 A. WE PRAY FOR MERCY, BECAUSE HE HAS COMMITTED AN
12 OFFENSE. THERE IS NO DOUBT ABOUT THAT. IT'S ONLY MERCY
13 AND COMPASSION, WHICH WE WILL PRAY THAT WE GET.

14 YOU SAID TWO THINGS JUST NOW. YOU SAID
15 THIS IS NOT AN ASSEMBLY LINE PROCESS, AND YOU ARE NOT
16 ROBOTIC. THAT MEANS YOU HAVE HUMAN FEELINGS AND ARE
17 WILLING PUT YOURSELF INTO THIS CASE, AND AS A MOTHER TO
18 SEE WHAT WE CAN DO TO GIVE HIM A SECOND CHANCE.

19 THE COURT: THANK YOU.

20 THE WITNESS: THANK YOU.

21 THE DEPUTY CLERK: PLEASE RAISE YOUR
22 RIGHT HAND.

23 (WITNESS SWORN.)

24 THE DEPUTY CLERK: COULD YOU PLEASE STATE
25 YOUR FULL NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

1 THE WITNESS: GOOD MORNING. MY NAME IS
2 AINA FADINA, FIRST NAME A-I-N-A, LAST NAME F, AS IN
3 FREDDIE, A-D-I-N-A. I AM DAMILARE'S FIRST COUSIN. HIS
4 UNCLE -- RATHER HIS FATHER IS MY MOTHER'S YOUNGER
5 BROTHER.

6 THANK YOU ALL FOR BEING HERE TODAY AND --
7 ON BEHALF OF THE SONOIKI FAMILY. WE SINCERELY APOLOGIZE
8 TO THIS COURTHOUSE. WE SINCERELY APOLOGIZE TO THE
9 JUDICIAL SYSTEM.

10 Q. MS. FADINA, THIS IS NOT YOUR FAULT.

11 A. NO, I UNDERSTAND THAT, BUT GOING BACK TO THE
12 CONTEXT OF WHERE WE ARE AND WHO WE ARE AS A FAMILY, WHEN
13 ONE FALL, WE ALL FALL TOGETHER. WHEN ONE RISE, WE ALL
14 RISE TOGETHER. THERE'S ALWAYS A SAYING THAT THIS FIVE
15 FINGERS ARE NOT EQUAL. SO WE ALL HAVE OUR STRENGTH AND
16 WE ALL HAVE OUR WEAKNESSES. AND I JUST WANTED TO SPEAK
17 TO YOU ABOUT DAMILARE'S CHARACTER. WE ALL GREW UP
18 TOGETHER IN NIGERIA, LAGOS, NIGERIA. AND HE -- YOU
19 KNOW, MY GRANDPARENTS HAVE OTHER GRANDKIDS. MY
20 GRANDMOTHER HAD 10 KIDS, FOUR SETS OF TWINS. MY UNCLE
21 IS A SET OF FOUR, SOMETHING LIKE THAT. ANYWAY, JUST TO
22 KIND OF GIVE YOU A CONTEXT OF HOW CLOSE OUR FAMILY IS.
23 AND MY UNCLE MENTIONED THAT HE LOVED OLDER PEOPLE. HE
24 WAS A SHINING STAR OF MY GRANDFATHER AND MY GRANDMOTHER.
25 MY GRANDMOTHER PASSED AWAY IN 2019. AND ONE OF THE

1 THINGS THAT I SAID WAS, I AM GLAD SHE DIDN'T GET TO KIND
2 OF SEE THIS DAY, BECAUSE SHE ADORED HIM. MY GRANDFATHER
3 ADORED HIM. AND AS PRECIOUS TO BE -- MAYBE IT'S THE
4 MODEL PRIMARILY, THE IMMIGRANT STORY TO BE SUCCESSFUL,
5 THERE ARE TIMES IN WHICH WE SOMETIMES ALLOW THOSE THINGS
6 TO OVERSHADOW THE LESSONS THAT OUR FAMILY RAISED US AS.
7 AND I KNOW THAT HE DID SOMETHING WRONG. HE KNOWS THAT
8 HE DID SOMETHING WRONG.

9 I REMEMBER GROWING UP, EVEN THOUGH I AM
10 THE OLDER COUSIN, I TRULY ADMIRER HIM BECAUSE HE WAS A
11 STUDIOUS STUDENT. WE DROVE DOWN TO VIRGINIA WHEN HE WAS
12 AT WOODBURY FOR HIS FOOTBALL GAMES FROM PHILADELPHIA.
13 WE ALREADY KNOW -- I DON'T LIKE THE COLD WEATHER, MY
14 MOTHER DOES NOT LIKE THE COLD WEATHER. BUT THESE ARE
15 THE THINGS THAT WE DID AS A FAMILY BECAUSE WE ADORED HIM
16 SO MUCH. HE ADORED MY MOTHER, HE ADORED MY FATHER AND
17 HE ALWAYS SHOWED UP FOR US. AND I HOPE THAT THIS COURT
18 HAS TAKEN THAT INTO CONSIDERATION. I KNOW THAT HE IS
19 GOING TO DO WELL IN LIFE, AND I KNOW THAT HE HAS LEARNED
20 HIS LESSONS. BUT I TRULY PRAY THAT YOU GRANT HIM HONOR,
21 THAT YOU ARE GRACEFUL IN SENTENCING, AND THAT YOU TAKE
22 HIS MOTHER INTO CONSIDERATION. WHAT HURTS THE MOST IS
23 LOOKING AT THE WAY MY AUNT USED TO DRIVE ALL OVER THE
24 SOUTH TO MAKE SURE HE WENT TO THE BEST SCHOOLS, TO MAKE
25 SURE HE WENT TO A SUMMER CAMP, TO MAKE SURE THAT, YOU

1 KNOW, AS AN ONLY CHILD THAT HE WOULD NOT SHAME HER, THAT
2 HE DID THE BEST THAT HE POSSIBLY COULD. SHE WENT ABOVE
3 AND BEYOND FOR HIM, FOR HIM NOT TO BE AT THIS STAGE IN
4 LIFE TODAY.

5 Q. ONE OF THE INTERESTING THINGS FROM MY
6 PERSPECTIVE IS TO SEE TIME AND TIME AGAIN HOW MUCH OF
7 THE PUNISHMENT OF THIS PROCESS IS VISITED ON THE FAMILY.
8 AND THAT'S A CONSEQUENCE THAT MANY DEFENDANTS DON'T
9 REALLY THINK ABOUT. WHEN THEY COMMIT A CRIME, THEY
10 DON'T THINK ABOUT HOW THEIR -- THE PEOPLE THEY LOVE THE
11 MOST WILL FEEL TREMENDOUS NEGATIVE REACTIONS AND PAIN.

12 A. MM-HMM.

13 Q. IT'S PART OF THE PUNISHMENT, FRANKLY.

14 A. AND TO BE HONEST WITH YOU, I LIVED IN NEW YORK
15 WHEN HE WAS IN NEW YORK. HE WOULD COME OVER ONCE A
16 MONTH OR WHATEVER AND COOK, AND I WILL GIVE HIM FOOD TO
17 TAKE BACK TO HIS APARTMENT IN THE CITY. AND WE HAD NO
18 IDEA THE REALM OF WHAT HE WAS DOING. I HAD FRIENDS WHO
19 WERE IN A BUSINESS SCHOOL AND THEY WERE LIKE, DAM IS
20 YOUR COUSIN? I'M LIKE, YEAH. THEY WERE LIKE, OH, MY
21 GOD, HE IS SUCH A BRILLIANT YOUNG MAN, WHEN HE WAS AN
22 UNDERGRAD. AND A NUMBER OF THEM HAD REACHED OUT TO ME
23 AND STATED HOW CONFUSED THEY ARE ABOUT WHAT IS
24 HAPPENING. AND I SAID -- THEY SAID I HAVE NO WORDS, BUT
25 THANK YOU AS WE GO THROUGH THIS CHALLENGING TIME IN OUR

1 CONTINUED SAFETY IN THIS CRAZY PERIOD OF TIME THAT WE
2 ARE IN LIFE. THANK YOU.

3 THE COURT: THANK YOU, MS. -- DO YOU
4 PRONOUNCE YOUR LAST NAME FADINA?

5 THE WITNESS: THE RIGHT WAY IS FADINA,
6 BUT YOU KNOW, THE AMERICAN WAY WESTERNIZED TO FADINA.

7 THE COURT: WELL, WE DON'T LEARN WELL
8 ENOUGH HOW TO CHANGE THE ACCENTS ON THE SYLLABLES. BUT
9 THANK YOU VERY MUCH.

10 THE WITNESS: THANK YOU AND HAVE A GOOD
11 DAY.

12 THE DEPUTY CLERK: PLEASE RAISE YOUR
13 RIGHT HAND.

14 (WITNESS SWORN.)

15 THE DEPUTY CLERK: PLEASE STATE YOUR FULL
16 NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

17 THE WITNESS: MY NAME IS OLUSOLA FADINA.
18 FIRST NAME IS SPELLED O-L-U-S-O-L-A. LAST NAME FADINA,
19 F-A-D-I-N-A.

20 BY THE COURT:

21 Q. MS. FADINA, DID I JUST MEET ONE OF YOUR FAMILY
22 MEMBERS?

23 A. YES, YOUR HONOR.

24 Q. IS SHE YOUR DAUGHTER?

25 A. YES, YOUR HONOR.

1 Q. OKAY. SO MR. SONOIKI IS YOUR NEPHEW?

2 A. YES, YES.

3 Q. WHAT WOULD YOU LIKE TO TELL ME?

4 A. YOUR HONOR, I HAVE WORKED IN THE SYSTEM HERE IN
5 THE U.S. BECAUSE ON JULY 23RD I WAS WORKING IN THE
6 SOCIAL WORK LINE. AND I GO TO COURT LIKE ALMOST EVERY
7 DAY, AND I KNOW WHAT IT IS TO STAND BEFORE YOUR HONOR.
8 I HAVE AS THE DEFENDANT OR EVEN JUST TO GIVE TESTIMONY
9 UNDER OATH AS AN ADMINISTER.

10 YOUR HONOR, I AM JUST HERE TODAY TO PLEAD
11 FOR MERCY, TO PLEAD FOR FAVOR ON BEHALF OF MY NEPHEW AND
12 IN PARTICULAR MY BROTHER. I AM THE OLDEST IN THE
13 FAMILY. OUR MOTHER HAD FOUR SETS OF TWINS AFTER ME. HE
14 IS ONE OF THE FOUR SETS OF TWINS. AND WE WERE CLOSE --
15 WE WERE BROUGHT UP TO BE SO CLOSE TOGETHER. OUR MOTHER
16 USED TO SAY THAT, YOU KNOW, SHE'S GOING TO TIE THE HAIR
17 OF ONE PERSON IN FRONT TO THE PERSON AT THE BACK, SO
18 THAT YOU ARE GO TOGETHER. SO IF ONE FALLS, YOU ALL
19 FALL. BUT YOU DON'T FALL BECAUSE WHOEVER IS TYING THE
20 HEAD OF YOU IS IN THE STREET AND STANDING STRONG. AND
21 AS THE FIRST CHILD, I HAVE TRIED MY BEST TO NOT JUST
22 BRING MY BROTHERS, MY SIBLINGS TOGETHER, EVEN THE
23 GRANDCHILDREN. MY HOUSE IS LIKE A BOARDING HOUSE FOR
24 EVERYBODY. ALL OF THE GRANDCHILDREN THAT COME -- WHEN
25 MY MOTHER SAID, THEY COME TO ME, THEY RELATE TO ME.

1 DAMILARE USED TO COME TO SPEND HIS HOLIDAYS WITH ME.
2 AND I KNOW HE WAS A VERY GOOD BOY, A VERY GOOD MAN NOW.
3 I DON'T KNOW WHAT HAPPENED, BUT AS YOU ALL KNOW, AS
4 MOTHERS, WE CAN DO OUR BEST FOR OUR CHILDREN, BUT YOU
5 DON'T KNOW WHAT THEY ARE DOING OUTSIDE. THIS IS WHERE
6 WE FIND OURSELF AT THIS POINT IN TIME. YOUR HONOR,
7 PLEASE SHOW MERCY.

8 AT THE TIME OUR MOTHER DIED, SHE COULD
9 NOT HAVE BEEN TOLD, BECAUSE SHE KEPT ASKING, DAMILARE
10 HAS NOT CALLED. BECAUSE ALL OF PHONES US DAYS ON WHICH
11 WE MUST SPEAK TO MY MOM. FROM MY HUSBAND, WHO IS THERE,
12 DOWN TO THE SMALLEST CHILD, ALL OF US -- THOSE ON THE
13 WEST COAST, THOSE IN NEW YORK WE ALL HAVE OUR TIME
14 BECAUSE OUR MOTHER BELIEVED IN THE NEEDS, THE COMPOSITE
15 NATURE OF THE FAMILY. AND NOW THAT'S -- SHE USED TO
16 SAY, WE DON'T EVEN WANT TO READ THE NEWS. IF YOU WANT
17 TO TALK OR FEEL SOMETHING, NOT ON TV. JUST TALK ABOUT
18 JUST BEING GOOD, JUST BE ON YOUR OWN, LIVE YOUR LIFE AND
19 LIVE FOR GOOD. THAT'S WHAT WE DO, WE PRAY EVERY
20 MORNING. WE HAVE DEVOTIONS, WE -- THAT'S JUST
21 EVERYTHING TO MAKE SURE THAT WE SUBMIT OUR CHILDREN FROM
22 WHATEVER IS NEGATIVE THAT IS GOING ON IN THE COMMUNITY.
23 WE CANNOT BELIEVE WHAT HAS HAPPENED TO DAMILARE. YOUR
24 HONOR, PLEASE SHOW MERCY FOR THE SAKE OF MY GRANDMOTHER,
25 BECAUSE DAMILARE WAS -- HE WAS HER FAVORITE CHILD.

1 DAMILARE WAS VERY SMART. EVEN MY GRANDFATHER WOULD SAY,
2 OH, DAMILARE, OH, CAN I HAVE SOME WATER? WHAT IS THAT?
3 W-A-T-E-R. NO, IT IS NOT WATER. IT IS WATER. THAT
4 WILL SHOW HOW CLOSE OUR GRANTPARENTS WERE, HOW THEY
5 LOVED HIM.

6 AND PLEASE, YOUR HONOR, I CANNOT EVEN SAY
7 MORE -- I JUST WANT TO SAY ON BEHALF OF MY FAMILY,
8 PLEASE TEMPER JUSTICE WITH MERCY. PLEASE FAVOR US. WE
9 ARE ASKING FOR FAVOR. WE ARE ASKING FOR YOUR GRACE,
10 YOUR HONOR. AND FOR EVERYTHING THAT DAMILARE HAS DONE,
11 I AM SURE HE HAS LEARNED HIS LESSON. EVEN NOW, HE USED
12 TO COME TO ME, TALK, AND TO OTHERS. HE IS NOT REALLY
13 ABLE TO TALK BECAUSE HE SAYS THAT HE HAS DISAPPOINTED
14 ME. IT IS NOT ME YOU HAVE DISAPPOINTED, YOU HAVE
15 DISAPPOINTED YOURSELF. AND HE HAS LEARNED HIS LESSON,
16 YOUR HONOR. PLEASE GIVE HIM A CHANCE. GIVE HIM A
17 CHANCE TO PROVE HIMSELF. THAT'S ALL WE ARE ASKING FOR,
18 YOUR HONOR, PLEASE. PLEASE, WE BEG YOU, YOUR HONOR.

19 THE COURT: YOU SHOULD BE VERY PROUD OF
20 YOUR FAMILY, EVERYBODY IN THE FAMILY AS FAR AS -- YOU
21 ARE A WONDERFUL REPRESENTATIVE OF IT, AND I AM SURE THAT
22 YOUR MOTHER, WHEREVER SHE IS, WATCHING YOU, IS VERY
23 PROUD OF YOU, TOO.

24 THE WITNESS: THANK YOU, YOUR HONOR.

25 THE DEPUTY CLERK: RAISE YOUR RIGHT HAND.

1 (WITNESS SWORN.)

2 THE DEPUTY CLERK: COULD YOU PLEASE STATE
3 YOUR FULL NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

4 THE WITNESS: MY NAME IS MARY ADERIBIGBE.
5 MY FIRST NAME IS M-A-R-Y, LAST NAME IS
6 A-D-E-R-I-B-I-G-B-E, ADERIBIGBE.

7 BY THE COURT:

8 Q. CAN I CALL YOU MARY?

9 A. YES, MA'AM.

10 Q. WHAT WOULD YOU LIKE TO TELL ME? FIRST OF ALL,
11 HOW DO YOU KNOW MR. SONOIKI?

12 A. THEY ARE FAMILY FRIENDS. MY HUSBAND AND THE
13 HUSBAND, THEY HAVE BEEN FAMILY SINCE THEY WERE REALLY
14 YOUNG, RIGHT FROM NIGERIA. WHEN THEY FIRST CAME TO THE
15 UNITED STATES, THEY STAYED WITH ME FOR A COUPLE OF
16 MONTHS, THEY WERE WITH ME. AND DAMILARE WAS A CHILD OF
17 EXEMPLARY CONDUCT, DIFFERENT FROM ANY OF OUR CHILDREN,
18 INCLUDING MINE. AND VERY QUIET, NICE, HELPFUL, AND
19 ABOVE ALL, VERY, VERY SMART. SINCE THIS HAPPENED, HE
20 HAS BECOME AN INTROVERT. I MEAN, HE IS SO SORRY. I
21 SPOKE TO HIM SEVERAL TIMES. HE IS SO VERY SORRY. HE IS
22 APOLOGIZING FOR THE WAY HE HAS BROUGHT, YOU KNOW,
23 EMBARRASSMENT TO HIS FAMILY AND FRIENDS. VERY SORRY,
24 AND VERY REMORSEFUL, AND ALMOST TO THE POINT OF WEEPING
25 AT ALL TIMES. SO WE ARE JUST CALLING AND ASKING FOR --

1 THE MOM HAS LOST A LOT OF WEIGHT SINCE, AND SHE IS A
2 LADY WITH VERY HIGH BLOOD PRESSURE. AND I KNOW HER.
3 EVERYBODY IN THE FAMILY, THEY ARE QUIET, THEY MIND THEIR
4 BUSINESS. WE DON'T WANT TROUBLE, BUT THIS HAS BEEN SUCH
5 A BIG DEAL FOR THE FAMILY, AND WE CALLING -- I AM
6 BEGGING FOR MERCY, AND PLEASE HAVE MERCY ON HIM. HE IS
7 SO REMORSEFUL, I KNOW THAT FROM THE WAY HE USED TO UP
8 TILL NOW, HE IS A DIFFERENT GUY, ENTIRELY. SO WE ARE
9 ASKING TO PLEASE HAVE MERCY. WE UNDERSTAND WHAT
10 HAPPENED, WE HAVE NO EXCUSES AT ALL. PLEASE, IF YOU CAN
11 HAVE MERCY IN YOUR JUDGMENT, THAT WOULD BE NICE. THANK
12 YOU.

13 THE COURT: THANK YOU VERY MUCH.

14 THE DEPUTY CLERK: PLEASE RAISE YOUR
15 RIGHT HAND.

16 (WITNESS SWORN.)

17 THE DEPUTY CLERK: COULD YOU PLEASE STATE
18 YOUR FULL NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

19 THE WITNESS: MY NAME IS ADEDEJI FADINA.
20 ADEDEJI IS A-D-E-D-E-J-I. AND MY LAST NAME IS
21 F-A-D-I-N-A.

22 BY THE COURT:

23 Q. SO MR. FADINA, DID I MEET YOUR WIFE AND YOUR
24 DAUGHTER?

25 A. YES, YOUR HONOR.

1 Q. I AM GETTING TO KNOW THE FAMILY HERE.

2 A. YES. YOUR HONOR, I APPRECIATE THE OPPORTUNITY
3 TO SPEAK. WHEN I AM EXCITED I STUTTER A LITTLE, SO I
4 HOPE I AM.

5 I HAVE KNOWN DAMILARE SINCE HE WAS BORN.
6 HE WAS BORN JUST BEFORE WE LEFT LAGOS, NIGERIA, AND THEN
7 THEY FOLLOWED US TWO YEARS AFTER. THEN I KNEW HE WAS IN
8 CONSTANT, CONSTANT CONTACT WITH HIS COUSINS, WITH MY
9 WIFE. AND THEN HE WILL COME, THEY WOULD GO OUT
10 TOGETHER, AND THERE WAS NOTHING IN HIS CHARACTER THAT
11 SHOWED ANY, YOU KNOW, CRIMINALITY OR OUTCAST OR HIDING
12 ANYTHING. HE WAS ALWAYS FORTHCOMING, YOU KNOW, AND HE
13 WAS OPEN TO EVERYBODY. AND IN FACT, WHAT I THOUGHT AT A
14 PARTICULAR TIME WAS THAT, YOU KNOW, HE WAS TOO OPEN.
15 AND THAT HE MIGHT BE A VICTIM OF SOME SMART PEOPLE, AND
16 HE MIGHT FIND HIMSELF -- I AM SORRY I AM SAYING THIS,
17 BUT THIS IS A PERSON I FELT INSIDE OF ME AND THE FAMILY
18 DOES NOT KNOW. YOU KNOW, BUT I FELT THAT. YOU KNOW,
19 PEOPLE WHO TAKE ADVANTAGE OF HIM, PEOPLE COULD USE HIM.
20 HE WAS SO LOVING AND SO TRUST -- HE TRUSTED EVERYBODY.
21 WITHIN HIMSELF -- INSIDE HIMSELF HE WAS A BABY. HE
22 CONTINUED TO BE A BABY. THE FAMILY -- BECAUSE OF THE
23 ONLY CHILD AND HE WAS LOVED BY HIS MOTHER, I DIDN'T KNOW
24 HOW TO -- BECAUSE WHEN YOU DON'T GROW UP IN A CROWD --
25 HE GREW UP ALL BY HIMSELF AND JUST YOUR MOTHER, YOUR

1 RESPONSE TO EXISTENCE, I BELIEVE ALWAYS IS DIFFERENT,
2 FROM THAT OF SOMEBODY WHO GREW UP IN THE GROUP AND LOOKS
3 OUT FOR EACH OTHER. I SAW THAT. BUT I AM AN IN-LAW, I
4 COULD NOT SAY MUCH. BUT I KNEW -- SO --

5 Q. THAT MAKES YOU PRETTY UNIQUE AS AN IN-LAW.

6 A. SO WHEN I SAW THIS HAPPENED, I JUST FELT THAT
7 OH, MY GOD, YES, THIS IS WHAT I WAS AFRAID OF ALL THE
8 TIME. I SAID THAT, BECAUSE I KNEW THAT HE IS NOT A
9 CRIMINAL. THERE IS NO CRIMINALITY IN HIM. HE WAS
10 TRYING TO PLEASE, AND HE WENT TO BOARDING HOUSE WHERE I
11 THINK THERE ARE SOME RICH PEOPLE. AND I TOLD HIM THAT I
12 LOVE HIM AND I WENT ON WITH HIM. AND I FELT SOMETHING
13 WAS DIFFERENT AT THAT POINT. THAT'S WHY I AM SO ANGRY,
14 BECAUSE THIS COUNTRY IS SUPPOSED TO HELP PEOPLE. BUT
15 THEY TAKE THEM FROM AFRICA TO BRING THEM AND THEY
16 SUPPOSE -- WHY? WHAT WOULD CHILDREN -- AND THEY GO OUT
17 AND RUN AROUND AND AT THE END OF THE DAY, YOU LOSE YOUR
18 SENSE OF WHERE YOU ARE COMING FROM. THAT'S WHAT I THINK
19 HAPPENED. THAT'S WHAT I THINK. THAT'S WHAT I THINK
20 HAPPENED. THAT'S WHAT I THINK HAPPENED. I AM SO HAPPY,
21 BECAUSE --

22 Q. YOUR FAMILY, AS FAR AS I CAN TELL, HAS DONE A
23 VERY FINE JOB OF WANTING TO PRESERVE ALL OF THE
24 IMPORTANT FAMILY CULTURAL BACKGROUND AND TIES. AND I
25 TAKE ALL OF THESE COMMENTS AS REFLECTING EXTREMELY

1 IMPORTANT VALVES THAT ARE IMPORTANT EVERYWHERE IN THE
2 WORLD, AND INCLUDING HERE. AND I APPRECIATE THE FACT
3 THAT YOU HAVE BROUGHT THEM HERE WITH YOUR FAMILY.

4 THE WITNESS: THANK YOU VERY MUCH, YOUR
5 HONOR.

6 THE COURT: YOU'RE WELCOME.

7 THE DEPUTY CLERK: PLEASE RAISE YOUR
8 RIGHT HAND.

9 (WITNESS SWORN.)

10 THE DEPUTY CLERK: COULD YOU PLEASE STATE
11 YOUR FULL NAME AND SPELL YOUR FULL NAME FOR THE RECORD.

12 THE WITNESS: MY FULL NAME IS OLAKUNLE
13 ADERIBIGBE. THE SPELLING O-L-A-K-U-N-L-E, AND THE LAST
14 NAME IS A-D-E-R-I-B-I-G-B-E.

15 BY THE COURT:

16 Q. SO YOU ARE WITH MARY?

17 A. YES, MA'AM.

18 I THINK YOUR HONOR AND EVERYBODY --
19 EVERYBODY ELSE SAID A LOT ABOUT THE FAMILY AND FRIENDS
20 AND THE FRIENDS OF THE FATHER. AND YOU CAN SEE, HE DOES
21 NOT GUESS MUCH. IT IS IN THEIR GENE. EVERYBODY HERE
22 HAS THEIR PH.D. THEY ARE VERY SMART. HE CAME FROM A
23 FAMILY THAT IS WELL EDUCATED -- AND BACK IN NIGERIA.
24 AND IN TIMES OF OUR PROBLEMS DOWN HERE, IN TERMS OF THE
25 FAMILY ARE WELL TO DO IN NIGERIA. WE ARE NOT FROM THE

1 FAMILY. THAT WE CAME TO THE U.S. BECAUSE BETTER LIVING.
2 WE CAME TO THE U.S. BECAUSE WE WANTED BETTER FOR OUR
3 KIDS. I HAVE KNOWN DAMILARE SINCE HE WAS LITTLE, HE
4 STAYED WITH ME WHEN HE FIRST CAME TO THE U.S. AND HE IS
5 VERY SMART, AND WE KNOW THAT. AND A LOT OF THINGS THAT
6 WE KNOW ABOUT HIM NOW, IT WASN'T THE WAY WE SAW HIM WHEN
7 HE WAS GROWING UP. HE GROWS UP WITH MY KIDS, AND ALL OF
8 THEM ARE ALWAYS OUT THERE AND ARE NOW SUCCESSFUL. AND
9 WHEN HE LEFT HOME WHEN HE WENT TO THE BOARDING HOUSE AND
10 THE UNIVERSITY, PROBABLY A LOT OF CHANGE THAT WE DID NOT
11 NOTICE. AND THAT THINGS HAPPENED THAT WE DO THAT -- IN
12 MOST CASES WE WERE THINKING THAT A CHILD LIKE HIM -- WE
13 LOOK AT EVERYBODY THAT IS AROUND HIM AND SEE HOW THE
14 VALUE THEY HAVE IN INTEGRITY, THE VALUE THEY HAVE IN
15 WORKING SO HARD TO MAKE A LIVING, AND THE VALUE THEY
16 HAVE IN WHAT THEY ACHIEVED BY WORKING VERY HARD. AND
17 WHAT HAPPENED WAS A SHOCK TO EVERYBODY, AND WE KNOW
18 THAT. ONE THING THAT I FOUND OUT IS THAT -- I FOUND
19 THIS BECAUSE I ALWAYS GO TO HIM. AND MY CONCERN TO HIM
20 TO HIS FAMILY IS HOW REMORSEFUL HE WAS, BECAUSE THAT'S
21 MY CONCERN. BECAUSE IT'S SOMETHING TO MAKE A MISTAKE
22 AND BE REMORSEFUL. AND I TALKED TO HIM SEVERAL TIMES,
23 AND THAT REMORSEFULNESS IS THERE BECAUSE EVEN WITH HIM
24 EXPLAINING TO ME WHAT HAPPENED AND HE KNEW HOW
25 DISAPPOINTED WE ARE, BUT THAT WASN'T MY FOCUS ANYTIME I

1 TALKED TO HIM. WHAT I WAS TRYING TO GET FROM HIM IS
2 THAT THIS HAS HAPPENED AND YOU HAVE TO SHOW THE SOCIETY
3 THAT YOU ARE BETTER THAN THIS, YOU KNOW, WHERE YOU CAME
4 FROM. AND HE PROMISED ME THAT. AND I CAN SEE THAT, HE
5 IS REMORSEFUL AT THAT. YOUR HONOR, THE ONLY THING I CAN
6 SAY THAT HAPPENED, BUT HE IS VERY, VERY REMORSEFUL. AND
7 THAT I PRAY THAT YOU TAKE A LOOK AT THAT AND GIVE HIM
8 MERCY. THANK YOU, YOUR HONOR.

9 THE COURT: THANK YOU, SIR.

10 MR. WILSON: YOUR HONOR, I THINK IT
11 PROBABLY MAKES MOST SENSE AT THIS POINT TO ASK MR.
12 SONOIKI TO TAKE THE STAND.

13 THE COURT: WELL, COULD I ASK, MR.
14 WILSON, DO YOU WANT TO JUST TELL ME WHO THE REST OF
15 THESE FOLKS ARE? THEY CAN STAND UP AND --

16 MR. WILSON: YOU HEARD FROM -- I THINK
17 THE OTHER PEOPLE --

18 THE COURT: ARE THEY INTERNS?

19 MR. IGNALL: THE PEOPLE BEHIND ARE OUR
20 SUMMER INTERNS, YOUR HONOR.

21 THE COURT: WELL, I GUESS THEY ARE NOT
22 GOING TO BE WITNESSES THEN.

23 MR. IGNALL: I CAN DOUBLE CHECK, BUT I
24 DON'T THINK SO.

25 THE COURT: MAYBE THEY WANT TO BE NOW.

1 MR. WILSON, WHY DON'T YOU -- YOU WOULD
2 PREFER TO GO AFTER YOUR CLIENT?

3 MR. WILSON: I WOULD, YOUR HONOR, AFTER
4 YOU HEAR WHAT HIS --

5 THE COURT: OKAY. ARE YOU GOING TO BE
6 ADDING TO THE -- I WAS GOING TO COMMENT, MR. WILSON, ON
7 THE EFFORT YOU PUT INTO YOUR MEMO, WHICH WAS
8 CONSIDERABLE. I DON'T RECALL SEEING SO MANY METAPHORS
9 USED IN YOUR MEMOS BEFORE. WE HAVE GOT BAROMETERS, WE
10 HAVE GOT STORM CLOUDS. YOU WERE IN THE WEATHER. WHAT
11 WAS GOING ON THAT DAY?

12 MR. WILSON: YOUR HONOR, I THOUGHT IT WAS
13 APPROPRIATE FOR HOW MY CLIENT HAD BECOME A BIT OF A STAR
14 IN THE FIRST 21 YEARS OF HIS LIFE.

15 THE COURT: YOU EVEN GOT THROWING CAUTION
16 TO THE WIND. I MEAN, THIS IS A SERIOUS -- YOU HAVE GOT
17 -- ARE YOU HURRICANE SCHWARTZ, WHAT IS GOING ON? IT WAS
18 -- YOUR METAPHORS WERE REALLY REMARKABLE THERE, MR.
19 WILSON.

20 MR. WILSON: NOT UNINTENDED.

21 THE COURT: NOT UNINTENDED. THEN YOU
22 SUCCEEDED IN GETTING MY ATTENTION. BUT IF YOU WISH TO
23 SPEAK AFTER I HEAR FROM YOUR CLIENT, THAT'S OKAY.

24 MR. WILSON: I WOULD PREFER THAT, YOUR
25 HONOR.

1 THE COURT: OKAY.

2 MR. WILSON: THEN HE CAN ALLOCUTE AFTER
3 THAT.

4 THE COURT: SO LET ME PUT IT THIS WAY,
5 MR. SONOIKI, THIS IS -- I AM SUPER INTERESTED IN HEARING
6 FROM YOU. YOU HAVE GOT A WHOLE FULL OPPORTUNITY TO
7 SPEAK TO ME ON YOUR BEHALF, AND I THINK WE ARE GOING TO
8 BE, I GUESS, PUTTING THIS IN TWO CHUNKS, IS THAT HOW YOU
9 PREFER, COUNSEL? OR DO YOU WANT HIM TO ALLOCUTE AND --

10 MR. IGNALL: I THINK IT MAKES MORE SENSE
11 TO DO IT IN TWO CHUNKS.

12 THE COURT: SO DO I, BUT...

13 MR. WILSON: WHAT I PROPOSE, YOUR HONOR,
14 IS THAT HE WILL TESTIFY NOW, AND I WILL ASK HIM
15 QUESTIONS. MR. IGNALL WILL ASK HIM QUESTIONS TO THAT HE
16 FEELS LIKE I HAVE MISSED. WE HAVE DISCUSSED THIS
17 TOGETHER PREVIOUSLY, AND THEY'VE MET -- MY CLIENT HAS
18 MADE HIMSELF AVAILABLE TO HIM. AND THEN I WILL GIVE MY
19 SPIEL AND THEN MR. SONOIKI WOULD BE ABLE TO ALLOCUTE AT
20 THAT POINT.

21 THE COURT: OKAY. I THINK HE WANTS TO
22 TALK TO YOU.

23 MR. WILSON: YOUR HONOR, IT WOULD PERHAPS
24 BE BEST IF WE DEALT WITH THE GOVERNMENT'S MOTION AFTER
25 HE HAS TESTIFIED. I THINK YOUR HONOR WILL HAVE A BETTER

1 FLAVOR OF WHAT HE HAS DONE.

2 THE COURT: YOU REALLY THINK I AM GOING
3 TO BE SURPRISED BY ANY OF THIS?

4 MR. WILSON: NO. NO. NO.

5 THE COURT: OKAY.

6 MR. WILSON: I THINK THERE IS A SLIGHT
7 BIT OF DIFFERENCE. I WAS NOT PRESENT FOR MR.
8 KENDRICKS'S SENTENCING, AND I HAVE NOT SEEN A
9 TRANSCRIPT, BUT THERE IS A SLIGHT BIT OF DIFFERENCE, I
10 THINK, THAT -- INDICATING WHAT CAME OUT IN FRONT OF --

11 THE COURT: WELL, THAT'S GOING TO BE YOUR
12 JOB. LET ME TEE IT UP THIS WAY --

13 MR. WILSON: A BREACH OF TRUST.

14 THE COURT: MR. SONOIKI, I AM AWARE OF A
15 MOTION THAT THE GOVERNMENT HAS FILED SAYING THAT YOU
16 HAVE PROVIDED SUBSTANTIAL ASSISTANCE TO THE GOVERNMENT
17 IN CONNECTION WITH NOT ONLY ITS PROSECUTION OF YOU BUT
18 IN IDENTIFYING, INVESTIGATING AND PROSECUTING OTHERS.
19 AND IT IS ALSO MY INFORMATION AND EXPECTATION THAT IN
20 THE EVENT THERE IS MORE TO HAPPEN IN THIS COLLECTED
21 PROSECUTION, BECAUSE THERE IS AT LEAST ONE OTHER PERSON
22 INVOLVED WHO HAS NOT -- WHO HAS INDICATED AN INTENTION
23 TO HAVE A TRIAL. AND THEREFORE, THE GOVERNMENT EXPECTS
24 YOU, AS PART OF YOUR PLEA, TO APPEAR AND GIVE TESTIMONY
25 AT SUCH A TRIAL.

1 I'M GOING TO GIVE YOU AN OPPORTUNITY AS
2 PART OF THE GOVERNMENT'S MOTION ABOUT YOU BEING PREPARED
3 TO SUBSTANTIALLY ASSIST THE GOVERNMENT. YOU NOW HAVE AN
4 OPPORTUNITY TO TELL ME THE SUBSTANCE OF WHAT IT IS YOU
5 WILL SAY AT A TRIAL IF A TRIAL IS NECESSARY AND IF YOU
6 ARE CALLED AS A WITNESS.

7 ARE WE ALL ON THE SAME PAGE, EVERYBODY?

8 MR. IGNALL: YES, YOUR HONOR.

9 MR. WILSON: YES, YOUR HONOR.

10 THE DEFENDANT: YES, YOUR HONOR.

11 THE COURT: WHY DON'T YOU COME UP AND GET
12 INTO THE WITNESS STAND THEN FOR THIS PURPOSE.

13 BY MR. WILSON:

14 Q. SIR -- HE HAS BEEN SWORN, RIGHT?

15 THE COURT: YES.

16 BY MR. WILSON:

17 Q. MR. SONOIKI, IN 2013, DID YOU START A POSITION
18 AT GOLDMAN SACHS?

19 A. YES.

20 Q. AND HOW DID THAT COME ABOUT?

21 A. I HAD INTERNED THERE THE PREVIOUS TWO SUMMERS.

22 Q. IN 2013, THIS WAS AFTER YOUR COLLEGE CAREER WAS
23 AT AN END, CORRECT?

24 A. CORRECT.

25 Q. AND DO YOU REMEMBER WHAT MONTH YOU STARTED

1 THERE?

2 A. LATE JUNE OR EARLY JULY.

3 Q. OF 2013?

4 A. YES.

5 Q. AND WHAT WAS YOUR POSITION AT GOLDMAN SACHS?

6 A. ANALYST.

7 Q. AND JUST BRIEFLY DESCRIBE WHAT YOUR DUTIES WERE
8 AT GOLDMAN SACHS?

9 A. DOING FINANCIAL ANALYSIS AND PREPARING
10 PRESENTATION? PREPARING FINANCIAL INFORMATION, YOU
11 KNOW, EXCEL AND POWERPOINT PRIMARILY.

12 Q. AND WOULD YOU WORK WITH A PARTICULAR PARTNER OR
13 PARTNERS AT GOLDMAN SACHS?

14 A. YES, IT'S VARIOUS ONES. NOT CONSISTENTLY THE
15 SAME ONE, BUT DIFFERENT ONES.

16 Q. OKAY. DID THERE COME A TIME AT THE END OF 2013
17 THAT YOU MET MYCHAL KENDRICKS?

18 A. YES.

19 Q. HOW WAS IT THAT YOU MET HIM?

20 A. WE MET AT A NEW YEAR'S EVE, I THINK. MET ON NEW
21 YEAR'S EVE.

22 Q. OKAY. AND WERE THERE -- WAS THERE MUTUAL
23 ACQUAINTANCES OF YOURS AND HIS THAT WERE THERE THAT
24 INTRODUCED YOU TO HIM?

25 A. YES.

1 Q. DID YOU EXCHANGE CONTACT INFORMATION?

2 A. YES.

3 Q. DO YOU KNOW AT THAT TIME WHETHER MYCHAL
4 KENDRICKS WAS MADE AWARE THAT YOU WORKED IN NEW YORK
5 CITY AS A FINANCIAL ANALYST?

6 A. I AM NOT SURE, I THINK HE MIGHT HAVE BEEN, YES.

7 Q. OKAY. DID YOU -- WHEN DID YOU NEXT HAVE CONTACT
8 WITH MYCHAL KENDRICKS AFTER THAT NEW YEAR'S EVE PARTY IN
9 2013?

10 A. WE TEXTED SPORADICALLY FROM MARCH OF 2014 UNTIL
11 -- STARTING IN MARCH 2014 WE TEXTED SPORADICALLY AND
12 THEN WE MET IN PERSON IN JUNE OF 2014.

13 Q. AND WHERE DID YOU MEET IN PERSON?

14 A. IN NEW YORK.

15 Q. WHERE -- WAS MYCHAL KENDRICKS LIVING IN NEW YORK
16 OR DID HE COME TO NEW YORK TO MEET YOU?

17 A. HE CAME TO NEW YORK TO MEET ME.

18 Q. OKAY. AND THAT FIRST MEETING, WHAT HAPPENED
19 DURING THAT FIRST MEETING? WERE YOU WITH HIM THE WHOLE
20 DAY OR OVERNIGHT?

21 A. YEAH, I WAS WITH HIM THE -- WE MET -- HE CAME --
22 HE TOOK A TRAIN TO NEW YORK FROM PHILADELPHIA, AND THEN
23 WE MET AT THE TRAIN STATION. AND WE ARE OUTSIDE THE
24 TRAIN STATION AND THEN WE WENT OUT MAYBE TO -- YOU KNOW,
25 WE WENT OUT TO MAYBE A SOCIAL PLACE, AND THEN HE STAYED

1 IN NEW YORK UNTIL MAYBE THE EARLY MORNING AND THEN WE
2 WERE TOGETHER AND THEN HE WENT BACK TO -- AND LEFT.

3 Q. OKAY. DURING THAT TIME, WAS THERE ANY
4 DISCUSSION ABOUT YOU GIVING FINANCIAL ADVICE TO HIM?

5 A. I DON'T THINK SO AT FIRST. I MEAN, I THINK WE
6 TALKED BROADLY ABOUT OUR JOBS, ABOUT MY JOB, BUT NOT
7 ABOUT ME GIVING FINANCIAL ADVICE TO HIM AT THAT VERY
8 FIRST JUNCTURE.

9 Q. DID HE TALK ABOUT BUSINESS INTERESTS?

10 A. YES, HE HAD A LOT OF BUSINESS INTERESTS.

11 Q. OKAY. AND HE DISCUSSED THOSE WITH YOU?

12 A. YES.

13 Q. DID YOU CONTINUE TO HAVE CONTACT THROUGH TEXT OR
14 TELEPHONE AFTER THAT?

15 A. YES.

16 Q. AND DID YOU HAVE -- DID YOU USE FACETIME CALLS
17 AT ALL?

18 A. YES.

19 Q. HOW OFTEN WOULD YOU HAVE CONTACT WITH HIM AFTER
20 THAT MEETING IN JUNE -- THIS WOULD HAVE BEEN 2014,
21 CORRECT?

22 A. YES, CORRECT. AFTER THAT INITIAL MEETING IN
23 JUNE WE TALKED OR TEXTED OR FACETIME, YOU KNOW, ALMOST
24 EVERY DAY. I WAS GOING THROUGH -- I HAD BEEN GOING
25 THROUGH INTERVIEWS IN BANKING AND KIND OF START

1 INTERVIEWING THE WINTER/SPRING AFTER YOU STARTED THAT
2 SUMMER. AND SO I HAD BEEN GOING THROUGH INTERVIEWS FOR
3 HEDGE FUNDS AND PRIVATE EQUITY, SO I WAS A BIG FINANCE
4 PERSON. AND HE HAD A LOT OF INTEREST IN FINANCE. AND I
5 WOULD TEACH HIM ABOUT STOCKS AND ABOUT, YOU KNOW, WHAT
6 MAKES THEM GO UP, WHAT MAKES THEM GO DOWN, JUST
7 DIFFERENT KIND OF BUSINESS, BROAD BUSINESS. SO WE
8 TALKED KIND OF VERY REGULARLY.

9 Q. AND AT THAT POINT IN TIME, HAD YOU GIVEN ANY
10 INSIDE INFORMATION TO ANYBODY?

11 A. NO.

12 Q. UP UNTIL THAT TIME?

13 A. NO.

14 Q. HAD YOU USED ANY INSIDE INFORMATION FOR YOUR OWN
15 BENEFIT AT ANY POINT UP UNTIL THAT TIME?

16 A. NO.

17 Q. YOU KNEW, OBVIOUSLY, IT WAS PART OF YOUR
18 TRAINING AT GOLDMAN SACHS THAT YOU WERE NOT TO GIVE
19 INSIDE INFORMATION TO ANYBODY?

20 A. CORRECT.

21 Q. WAS THERE A TIME WHEN YOU HAD A SECOND MEETING?

22 A. YES. I THINK HE CAME TO NEW YORK AT ONE POINT,
23 AND WE HAD A SECOND MEETING.

24 Q. AND DO YOU RECALL THE CIRCUMSTANCES OF THAT
25 MEETING?

1 A. RIGHT. NOW THAT I REMEMBER. SO IN BETWEEN THAT
2 FIRST MEETING AND THE SECOND MEETING, WE TALKED A LOT
3 ABOUT FINANCE. AND I THINK I HAD THROWN OUT THE IDEA OF
4 HEY, I CAN HELP YOU. I WILL GIVE YOU IDEAS, KIND OF
5 HELP YOU MANAGE YOUR MONEY ALMOST, AND THEN YOU GIVE ME
6 A PERCENTAGE AND -- YOU KNOW, OF WHATEVER YOU MAKE. AT
7 THAT TIME I HAD -- I THOUGHT I WAS GOOD AT STOCKS
8 BECAUSE FOR MY TRAINING AT GOLDMAN AND JUST MY
9 DAY-TO-DAY WORK THAT I WAS KIND OF GOOD AT STOCKS
10 LEGALLY. AND I HAD TOLD HIM, HEY, GIVE ME -- I WILL
11 GIVE YOU SOME GENERAL TIPS, YOU KNOW, LEGAL ONES, AND
12 THEN YOU CAN GIVE THEM -- KIND OF HEDGE FUNDS OR PRIVATE
13 EQUITY. WEALTH MANAGERS KIND OF CHARGE 2 AND 20 SO -- 2
14 PERCENT MANAGEMENT FEE AND 20 PERCENT PROFITS. SO I
15 SAID, HEY, GIVE ME A PERCENTAGE, YOU KNOW, 20 PERCENT OR
16 SOMETHING OF WHATEVER YOU MAKE AND I WILL GIVE YOU -- I
17 HAD THOUGHT THAT I HAD GOOD IDEAS. AND HE WAS SAYING,
18 YEAH, I WILL INTRODUCE YOU TO ALL OF MY TEAMMATES. I
19 KIND OF ENVISIONED KIND OF ALMOST LIKE A SIDE BUSINESS
20 OF MAYBE ADVISING ATHLETES OR ADVISING PEOPLE AND
21 SHOWING -- DEMONSTRATING MY SKILL, YOU KNOW, WITH
22 STOCKS.

23 Q. SO THEN WHAT HAPPENED IN THIS SECOND MEETING?

24 A. SO IN THE SECOND MEETING -- BETWEEN THE FIRST
25 AND THE SECOND MEETING, WE HAD TALKED A LOT ABOUT --

1 LIKE I SAID, WE TALKED A LOT ABOUT FINANCE, ABOUT
2 INVESTING, ABOUT BUSINESS. AND IT HAD COME UP, BECAUSE
3 I HAD EXPECTED -- BECAUSE MOST PEOPLE DON'T REALLY KNOW
4 WHAT EXACTLY IT IS AN INVESTMENT BANKER DO, AND I
5 EXPLAINED TO HIM, YOU KNOW, WE WORKING ON DEALS AND
6 THINGS OF THAT NATURE. AND, YOU KNOW, I EXPLAINED THAT
7 -- HE HAD -- HE SOMETIMES COMMENTS ABOUT -- KNOW ABOUT
8 THINGS BEFORE THEY HAPPEN.

9 AND THAT SECOND MEETING HE BROUGHT UP
10 WELL, YOU KNOW, IF YOU KNOW ABOUT THINGS BEFORE THEY
11 HAPPEN, KIND OF LIKE, WHY NOT JUST -- YOU KNOW, INSTEAD
12 OF KIND OF GIVING ME THE GENERALIZED, YOU KNOW, IDEAS OF
13 WHAT STOCKS YOU HAVE A HUNCH OR YOU BELIEVE, YOU KNOW,
14 BECAUSE YOU HAVE DONE SOME NUMBER CRUNCHING. YOU KNOW,
15 WHY DON'T YOU JUST TELL ME THE ONES THAT ARE GOING TO GO
16 UP THAT YOU KNOW FOR CERTAIN.

17 Q. AND IN THAT SECOND MEETING, HOW DID YOU REACT TO
18 THAT?

19 A. I WAS -- I DIDN'T -- I DIDN'T AGREE TO IT. I
20 WAS -- I JUST KIND OF -- I DIDN'T SAY YES OR NO, I
21 GUESS. I THINK THAT WAS JUST, YOU KNOW -- I KIND OF
22 WAS, I WILL THINK ABOUT IT. I DIDN'T SAY ONE WAY OR THE
23 OTHER, YES OR NO.

24 Q. IN YOUR OWN MIND, WHAT WERE YOU THINKING?

25 A. YEAH, I WAS THINKING THAT THIS IS NOT A GOOD

1 IDEA. BUT AT THE SAME TIME, AROUND THAT TIME, AND I
2 KNOW THIS IS IN THE REPORTS I HAVE BEEN GOING THROUGH.
3 THE SITUATION WHERE I GOT THIS MAGNIFICENT HEDGE FUND
4 OFFERING AND IT WAS RESCINDED BECAUSE OF MY, YOU KNOW,
5 MY DEGREE WAS BEING WITHHELD AT THE TIME, OR, YOU KNOW,
6 BEING WITHHELD. AND SO I WAS -- I ORDINARILY -- BECAUSE
7 IT WASN'T THE FIRST TIME WHEN PEOPLE KNOW YOU WORK ON
8 WALL STREET, THEY ARE LIKE, HEY, WHAT SHOULD I DO WITH
9 MY 401K, YOU KNOW, WINK, WINK SORT OF THING. SO EVERY
10 NOW AND THEN. SO IT WASN'T THE FIRST TIME SOMEBODY KIND
11 OF ASKED ME THAT, BUT IT WAS THE FIRST TIME THAT I MAYBE
12 KIND OF, YOU KNOW, CONSIDERED IT A LITTLE BIT MORE, BUT
13 I DIDN'T SAY -- I DIDN'T AGREE TO IT.

14 Q. OKAY. WHAT KIND OF CONTACT DID YOU HAVE WITH
15 HIM AFTER THAT?

16 A. I THINK AFTER THAT WE, YOU KNOW, SAME KIND OF
17 TEXTING AND FACE COMMUNICATION. HE HAD THIS COMPANY, I
18 THINK CARIBOU SHACK. THE DEFENDANT WHO IS GOING ON
19 TRIAL, YOU KNOW, CHRISTIAN RAMSEY. THEY GOT IN BUSINESS
20 PARTNERS IN SOME WAY. THEY KIND OF FANCY THEMSELVES, I
21 THINK NOWADAYS HOW ATHLETES ALWAYS WANT TO BE -- HAVE
22 THEIR HANDS ON A LOT OF DIFFERENT THINGS, YOU KNOW,
23 BUSINESS WISE AND, YOU KNOW, TO EMULATE THE LABRON'S OF
24 THE WORLD. AND SO THEY -- WE TALKED ABOUT BUSINESS AND
25 THINGS IN BETWEEN THAT -- AND I THINK THIS THIRD MEETING

1 WAS -- WE TOOK A -- I WENT TO -- HE GOT ME AN UBER TO
2 YORK, PENNSYLVANIA.

3 Q. FOR AN EVENT?

4 A. YEAH. SO I RECALL, YOU KNOW, WHEN THE SECOND
5 MEETING IN NEW YORK, I REMEMBER HE CAME AND I MET HIM
6 OUTSIDE OF THE BUILDING OF MY WORK PLACE. AND HE WAS IN
7 A CAR OR SOMETHING. AND THEN I REMEMBER WE WALKED
8 AROUND DOWNTOWN AND HE WAS KIND OF BEING -- WHISPERING
9 ABOUT IT. BECAUSE HE WAS VERY -- I THINK HE WAS -- WE
10 BOTH KNEW IT WAS WRONG, AND HE WAS, KIND OF, VERY, YOU
11 KNOW, LOOKING AROUND CORNERS, KIND OF, VERY LEERY, LIKE
12 YOU KNOW, ABOUT -- HE SAID, HOW ABOUT WE DO THIS? AND I
13 REMEMBER THAT -- HIM BEING KIND OF VERY LEERY ABOUT
14 RECORDING DEVICES OR SOMETHING. AND I REMEMBER HE SAID
15 HEY, HE IS HOSTING A CLUB IN YORK, PENNSYLVANIA. AND I
16 REMEMBER HE FELT MORE COMFORTABLE BECAUSE THE CLUB IS A
17 LOUD ENVIRONMENT, SO YOU CAN KIND OF FREELY TALK ABOUT
18 WHAT HE KNEW THAT WE REALLY SHOULD NOT BE DOING OR I
19 GUESS WHAT WE BOTH KNEW.

20 THE COURT: DO YOU REALLY WANT TO GO INTO
21 ALL OF THIS AT THIS STAGE?

22 BY MR. WILSON:

23 Q. SO AT THAT MEETING, OR ON THAT OCCASION, DID YOU
24 AGREE TO HELP HIM OUT WITH INSIDER INFORMATION?

25 A. I DID.

1 Q. DID YOU HELP SET UP A TRADING ACCOUNT?

2 A. YEAH. WHEN WE CAME BACK FROM YORK,
3 PENNSYLVANIA, HE SET UP -- I WAS WITH HIM AS HE SET IT
4 UP.

5 Q. IT WAS -- WAS THIS IN HIS APARTMENT HERE IN
6 PHILADELPHIA?

7 A. YES.

8 Q. AND WHO DID HE SET UP THE TRADING ACCOUNT WITH?

9 A. MYCHAL AND I THINK CHRISTIAN RAMSEY WAS THERE AS
10 WELL.

11 Q. AND WHAT WAS THE TRADING?

12 A. OPTIONS EXPRESS.

13 Q. WERE YOU GIVEN THE ACCESS INFORMATION TO THAT
14 ACCOUNT?

15 A. YES.

16 Q. WHAT HAPPENED AFTER THAT ONCE THE ACCOUNT WAS
17 SET UP?

18 A. MYCHAL DEPOSITED, YOU KNOW, MAYBE 80,000 OR
19 SOMETHING INTO IT. AND THEN I MADE SOME TRADES, BUT
20 THEN I THINK THAT THE -- IT GOT FLAGGED BECAUSE OF THE
21 LOG IN.

22 Q. YOU MADE SOME TRADES, RIGHT?

23 A. YEAH.

24 Q. AND WAS THIS IN A PARTICULAR -- THIS WAS BASED
25 ON INFORMATION THAT YOU HAD LEARNED THROUGH COLLEAGUES

1 REGARDING A POTENTIAL DEAL THAT WAS IMMINENT?

2 A. YES.

3 Q. AND INVOLVING A GOLDMAN SACHS CLIENT?

4 A. YES.

5 Q. AND -- SO YOU MADE THE TRADES ONLINE. DID THERE
6 COME A TIME AFTER THAT WHERE MYCHAL WAS NOTIFIED THAT
7 SOMEBODY HAD SORT OF AN UNAUTHORIZED ACCESS FROM THE NEW
8 YORK AREA?

9 A. YES.

10 Q. DID THINGS CHANGE IN THE WAY THAT TRADES WERE
11 MADE AFTER THAT BY MYCHAL KENDRICKS?

12 A. YES.

13 Q. HOW DID THEY CHANGE?

14 A. INSTEAD OF ME LOGGING ON FROM, YOU KNOW, MY
15 COMPUTER, HE WOULD LOG ON FROM HIS OWN COMPUTER. I
16 WOULD JUST TELL HIM THE INFORMATION.

17 Q. OKAY. DID THERE COME A TIME -- SO THIS TAKES US
18 INTO APPROXIMATELY SEPTEMBER OF 2014. DID THERE COME A
19 TIME WHEN MYCHAL INDICATED TO YOU THAT BECAUSE OF THE
20 PRESSURES OF THE TIME DEMANDS OF THE FOOTBALL SEASON
21 THAT HE WAS DELEGATING CHRISTIAN RAMSEY TO DEAL WITH
22 YOU, TO MAKE THE TRADES?

23 A. YES.

24 Q. DID YOU HAVE CONTACT WITH CHRISTIAN RAMSEY?

25 A. YES.

1 Q. YOU MENTIONED THAT YOU THINK CHRISTIAN RAMSEY
2 MIGHT HAVE BEEN THERE WHEN MYCHAL SET UP HIS TRADING
3 ACCOUNT. DO YOU KNOW IF THAT WAS THE FIRST TIME YOU MET
4 HIM?

5 A. THE FIRST TIME I MET HIM WAS AT A GAME -- AT A
6 GAME, I BELIEVE. SO IT MAY HAVE --

7 Q. AT THE EAGLES FOOTBALL GAME?

8 A. YES.

9 Q. HE WAS AT THE GAME AND YOU WERE AT THE GAME AS
10 GUESTS OF MYCHAL?

11 A. YES. YES. YES.

12 Q. AND AT THAT POINT IN THAT MEETING, WAS THERE ANY
13 DISCUSSION ABOUT TRADING WITH INSIDE INFORMATION?

14 A. NO.

15 Q. OKAY. AFTER MYCHAL INDICATED TO YOU -- AND DID
16 HE SEND A JOINT TEXT OR E-MAIL TO BOTH YOU AND CHRISTIAN
17 SAYING THAT HE IS DELEGATING CHRISTIAN TO --

18 A. HE SENT A TEXT TO CHRISTIAN. AND I THINK HE
19 SENT ONE TO BOTH OF US. I DON'T KNOW IF IT WAS TOGETHER
20 OR SEPARATE.

21 MR. WILSON: YOUR HONOR, I HAVE A SHEET
22 OF ABOUT 12 PAGES THAT HAVE BEEN MARKED EXHIBITS A
23 THROUGH K.

24 THE COURT: JUST, MR. WILSON, SO YOU AND
25 MR. IGNALL ARE ON THE SAME PAGE AS THE COURT, I VIEW

1 THIS EXERCISE AS ONE FOR PROVIDING MERELY RUDIMENTARY
2 INFORMATION AS TO WHAT IF CALLED UPON WOULD BE THE
3 SUBJECT AND SUBSTANCE OF THIS DEFENDANT'S TESTIMONY
4 WHERE HE WOULD BE SUBJECT TO CROSS-EXAMINE. SO I AM
5 ENCOURAGING YOU TO EXPEDITE THIS PART OF THE PROCESS.

6 MR. WILSON: YOUR HONOR, ALTHOUGH I HAVE
7 NEVER BEEN THE PROSECUTOR CONDUCTING A GRAND JURY
8 SESSION WITH A WITNESS, I VIEW IT AS SOMETHING OF THAT
9 SORT, THAT HE IS TESTIFYING IN FRONT OF A GRAND JURY.

10 THE COURT: I UNDERSTAND ALL OF THAT. I
11 AM TELLING YOU WHERE, YOU KNOW, THIS IS MY SHOW HERE,
12 RIGHT? I DON'T MEAN IN A SHOW IN A PEJORATIVE WAY, I
13 MEAN WHAT I HAVE SAID.

14 MR. WILSON: I UNDERSTAND, YOUR HONOR.
15 BY MR. WILSON:

16 Q. I AM GOING TO REFER --

17 MR. WILSON: MAY I APPROACH MR. SONOIKI?

18 THE COURT: YES.

19 MR. WILSON: THANK YOU.

20 THE COURT: FOR EXAMPLE, WE DON'T NEED TO
21 READ THROUGH ALL OF THESE.

22 MR. WILSON: WE ARE NOT READING THROUGH
23 ALL OF THESE, YOUR HONOR.

24 THE COURT: WHY DON'T YOU JUST
25 AUTHENTICATE --

1 MR. WILSON: I HAVE BEEN GIVEN MARCHING
2 ORDERS AS TO WHICH ONES.

3 THE COURT: -- JUST AUTHENTICATE,
4 IDENTIFY, AND MOVE ALONG.

5 MR. WILSON: OKAY.

6 THE COURT: BECAUSE I WILL TELL YOU FOR
7 THIS -- FOR YOUR CLIENT'S IMPORT AND WHAT IS MOST
8 IMPORTANT FOR HIM IS TO GET TO THE ALLOCUTION PART OF
9 THIS PROCEEDING.

10 MR. WILSON: I UNDERSTAND.

11 BY MR. WILSON:

12 Q. SIR, ON -- SHOWING YOU WHAT HAS BEEN MARKED AS
13 EXHIBIT A, DO YOU RECOGNIZE WHAT THIS IS?

14 A. YES, THOSE ARE TEXT MESSAGES BETWEEN MYSELF AND
15 CHRISTIAN RAMSEY.

16 Q. OKAY. AND I'M GOING TO DIRECT YOUR ATTENTION
17 DOWN TO THE FIFTH TEXT FROM THE BOTTOM WHERE CHRISTIAN
18 -- WHERE IT INDICATES THAT CHRISTIAN RAMSEY SENT A
19 CERTAIN TEXT. WHAT WAS THAT IN REFERENCE TO THE, OKAY,
20 I'M HEADED BACK NOW, JUST CALL ME AND I CAN WRITE IT
21 DOWN AND DO IT ON HIS LAPTOP?

22 A. SO HE WAS SAYING THAT I SHOULD CALL HIM WITH THE
23 INFORMATION TO TRADE ON, AND HE CAN WRITE IT DOWN AND
24 MAKE THE TRADE ON MYCHAL'S LAPTOP.

25 Q. IS THAT WHAT YOU UNDERSTAND THAT HIS LAPTOP

1 BEING MYCHAL'S LAPTOP?

2 A. CORRECT.

3 Q. AND THAT THE SUBSTANCE OF THAT DISCUSSION, THE
4 TEXTS THAT FOLLOW IMMEDIATELY AFTER THAT ARE ALL IN
5 REFERENCE TO YOUR RECOLLECTION TO DOING A TRADE BASED ON
6 INFORMATION THAT YOU HAD AS A RESULT OF YOUR EMPLOYMENT
7 AT GOLDMAN SACHS?

8 A. CORRECT.

9 Q. AND WAS IT YOUR UNDERSTANDING AT THAT TIME THAT
10 CHRISTIAN RAMSEY KNEW THAT IT WAS INSIDE INFORMATION,
11 THAT IT WAS INFORMATION THAT WAS NOT AVAILABLE TO THE
12 PUBLIC?

13 A. YES.

14 Q. WAS THERE A TIME WHERE HE -- WHEN YOU TRIED TO
15 GIVE CHRISTIAN RAMSEY -- OR GIVE MYCHAL LEGITIMATE
16 ADVICE, PUBLICLY-AVAILABLE ADVICE, THAT YOU TRIED TO
17 GIVE MYCHAL OR GIVE MYCHAL THROUGH CHRISTIAN RAMSEY
18 PUBLICLY-AVAILABLE ADVICE ABOUT TRADES?

19 A. YES.

20 Q. AND WHAT WAS CHRISTIAN RAMSEY'S RESPONSE TO
21 THOSE EFFORTS TO GIVE LEGITIMATE ADVICE?

22 A. HE SAID THEY WERE ONLY INTERESTED IN THAT AND
23 THEY ONLY WANTED SURE THINGS.

24 MR. IGNALL: YOUR HONOR, MAY I HAVE A
25 MOMENT TO CONSULT MR. WILSON? WE MAY BE ABLE TO

1 EXPEDITE THIS A LITTLE BIT.

2 THE COURT: WELL, PARTICULARLY IF YOU ARE
3 GOING TO EXPEDITE IT A LOT.

4 MR. IGNALL: OKAY. IT WILL EXPEDITE IT A
5 LOT.

6 (BRIEF PAUSE IN THE PROCEEDING.)

7 BY MR. WILSON:

8 Q. I AM GOING TO SHOW YOU WHAT HAS BEEN MARKED AS
9 EXHIBIT C, THE THIRD PAGE IN THAT PACKET. AND THERE'S
10 DISCUSSION DOWN AT THE BOTTOM OF THAT PAGE, CORRECT?

11 A. CORRECT.

12 Q. AND AGAIN, THESE ARE TEXTS THAT ARE GOING BACK
13 BETWEEN YOU AND CHRISTIAN RAMSEY, CORRECT?

14 A. CORRECT.

15 Q. AND THERE IS A -- ONE TEXT IN PARTICULAR WHERE
16 YOU SAY -- WHERE CHRISTIAN RAMSEY SAYS, CAN'T PUT IT ON
17 A SCHEDULE NOW, BUT GIVEN I TAKE AN HOUR ON EACH ROUGHLY
18 1630 -- I ASSUME TALKING IN 24-HOUR-CLOCK TIME,
19 5 O'CLOCK TO BE SAFE.

20 AND THEN YOU RESPOND, ANY WAY WE CAN TALK
21 FOR EVEN FIVE MINUTES BEFORE 3:50?

22 WHAT DID -- WHAT'S THE IMPORT OF THAT
23 CONVERSATION?

24 A. THE IMPORT IS THAT I HAD INFORMATION AND THE
25 MARKET CLOSSES AT 4 O'CLOCK, SO I WANTED TO HAVE A CHANCE

1 TO GIVE HIM THAT INFORMATION --

2 Q. OKAY.

3 A. -- BEFORE 4 O'CLOCK.

4 Q. AND YOU JUST GO ON IN THE NEXT PAGE, IF WE CAN
5 KEEP IT SHORT -- CHRISTIAN RAMSEY RESPONDS, IF WE CAN
6 KEEP IT SHORT, YES. I AM WALKING OUT IN TEN. AND THEN
7 YOU SAID, I MEANT TEN MINUTES BEFORE. CALL ME IF YOU
8 ARE AVAILABLE AT 3:40.

9 A. YES.

10 Q. DO YOU UNDERSTAND THAT?

11 A. YES.

12 Q. AND -- I'M SORRY, CHRISTIAN RAMSEY SAID THAT.
13 AND THAT WAS ALL -- THE IMPORTANCE OF THAT WAS THAT THE
14 TRADE HAD TO BE MADE BY 4 O'CLOCK, CORRECT?

15 A. CORRECT.

16 MR. WILSON: I HAVE NO FURTHER QUESTIONS,
17 YOUR HONOR.

18 THE COURT: ANYTHING, MR. IGNALL?

19 MR. IGNALL: TWO THINGS, YOUR HONOR.

20 BY MR. IGNALL:

21 Q. WITH RESPECT TO EXHIBIT C THAT MR. WILSON JUST
22 TALKED TO YOU ABOUT, WERE YOU TALKING TO MR. RAMSEY
23 ABOUT A TRADE BASED ON INFORMATION YOU GOT FROM GOLDMAN
24 -- FROM YOUR EMPLOYER?

25 A. YES.

1 Q. AND HOW DO YOU KNOW THAT?

2 A. WELL, I KNOW THAT BECAUSE, YOU KNOW, IF THEY
3 WERE JUST A -- FIRST OF ALL, CHRISTIAN -- THEY WERE NOT
4 INTERESTED IN THOSE, IN NON-INSIDE INFORMATION. BUT
5 ALSO I KNOW THAT IF IT WERE JUST AN IDEA OF MY OWN
6 GENERATION, THEN THERE WOULD HAVE BEEN NO URGENCY, YOU
7 KNOW, 3:50 OR -- IT COULD HAVE BEEN DONE THE NEXT DAY.
8 WHEN A DEAL IS PENDING, ANY DAY BETWEEN INS AND OUTS, IT
9 CAN GET LEAKED. AND SO THAT'S THE URGENCY. THAT'S HOW
10 I KNOW IT AND IT WAS NOT MY -- AND ALSO THEY WEREN'T
11 INTERESTED IN MY OWN IDEAS.

12 Q. GOING BACK TO THE QUESTION MR. WILSON ASKED YOU
13 ABOUT WHEN YOU FIRST MET MR. RAMSEY. IS IT POSSIBLE YOU
14 MET HIM BEFORE THE FOOTBALL SEASON?

15 A. IT IS POSSIBLE THAT HE WAS THERE WHEN THE
16 ACCOUNT WAS OPENED.

17 Q. AND WAS THAT IN JULY OF 2014?

18 A. YES. YES. YES, WHENEVER THAT YORK TRIP WAS.

19 Q. WAS THAT BEFORE FOOTBALL SEASON?

20 A. YES.

21 MR. IGNALL: NOTHING FURTHER, YOUR HONOR.

22 THE COURT: OKAY. JUST TO REFLECT -- THE
23 RECORD SHOULD REFLECT THAT IN THE EVENT THAT IT'S
24 NECESSARY FOR MR. SONOIKI TO TESTIFY AT ANY TRIAL IN THE
25 FUTURE, THIS TRANSCRIPT WILL BE MADE AVAILABLE AHEAD OF

1 TIME TO DEFENSE COUNSEL FOR USE AND CHALLENGE, IF
2 APPROPRIATE.

3 MR. IGNALL: THANK YOU, YOUR HONOR.

4 THE COURT: OKAY. WHY DON'T YOU STEP
5 DOWN NOW, SIR. WE ARE GOING TO GO BACK TO A MORE
6 CONVENTIONAL APPROACH TO THE REST OF THIS HEARING.

7 MR. WILSON: YOUR HONOR, CAN I SUGGEST
8 THAT WE DEAL WITH THE GOVERNMENT'S MOTION BEFORE I
9 SPEAK?

10 THE COURT: THE FLOOR IS YOURS, MR.
11 WILSON.

12 MR. WILSON: I WOULD REQUEST THAT WE DEAL
13 WITH THE GOVERNMENT'S MOTION SO THAT -- AND WE WERE
14 ASKING THAT WE DEAL WITH THAT AT SIDEBAR.

15 THE COURT: OKAY.

16 (AT THIS TIME SIDEBAR TWO OCCURRED, AND
17 WAS PLACED IN A SEPARATE BOOKLET.)

18 THE COURT: IS THERE ANY MORE IN
19 CONNECTION WITH THE GOVERNMENT'S 5K1.1 MOTION?

20 MR. IGNALL: NO, YOUR HONOR.

21 THE COURT: OKAY. NOW, WITH YOUR
22 INDULGENCE, FOLKS, IF WE CAN RETURN TO THE REQUEST OF
23 THE COURT TO MR. WILSON FOR YOUR ADDITIONAL SUBMISSIONS
24 OR REMARKS ON BEHALF OF THE DEFENDANT.

25 MR. WILSON: YES, YOUR HONOR. AND YOUR

1 HONOR, I FEEL HIS BURDEN EVEN MORE AFTER THE TESTIMONY
2 OF HIS PARENTS AND HIS COUSIN AND HIS -- AND THE FAMILY
3 MEMBERS AND AUNT AND UNCLE. IT'S -- IT HELPED ME
4 UNDERSTAND A LITTLE BIT JUST NOW ALL OF THE PHONE CALLS
5 THAT I WOULD HAVE FROM MR. SONOIKI BACK IN 2017, 2018, I
6 THINK BEFORE HE HAD FULLY DISCLOSED TO HIS FAMILY WHAT
7 HAD HAPPENED BECAUSE OF THE SHAME HE WAS FEELING. HE
8 WAS A VERY DEPRESSED YOUNG MAN, AND ESPECIALLY AFTER THE
9 INDICTMENT WAS ANNOUNCED AND IT GOT ESSENTIALLY
10 NATIONWIDE PRESS. NOT ONLY PRESS ABOUT WHAT HE HAD DONE
11 AT GOLDMAN SACHS WITH MYCHAL KENDRICKS, BUT ALSO PRESS
12 ABOUT HOW HE DIDN'T HAVE HIS DEGREE AT HARVARD. AND
13 THAT BECAME, FOR THE FIRST TIME, KNOWLEDGE TO EVERYBODY,
14 ALL OF HIS FRIENDS FROM HARVARD WHO DIDN'T KNOW THAT HE
15 DID NOT HAVE A DIPLOMA. THE SHAME HE FELT ABOUT THAT
16 WAS A BURDEN THAT HE WAS CARRYING, AND I WAS HIS
17 SOUNDING BOARD FOR A LONG TIME. AND I WOULD NOTE THERE
18 WERE HOURS AND HOURS OF PHONE CALLS THAT I WOULD JUST
19 HAVE TO LET HIM TALK, HIM CALLING ME AFTER WORK GOT OUT
20 IN CALIFORNIA OR -- AND THERE WERE TIMES I WAS WORRIED
21 ABOUT HIS MENTAL STATE.

22 BUT IT NOW HAS SOME GLOSS. I KNEW HE WAS
23 ASHAMED ABOUT WHAT THIS WOULD MEAN FOR HIS PARENTS. HE
24 HAD MADE THAT ABUNDANTLY CLEAR. HE DIDN'T KNOW HOW TO
25 GO ON OR DEAL WITH THAT. AND I SAY ALL OF THAT, YOUR

1 HONOR, BECAUSE YOUR HONOR HAS TO OBVIOUSLY UNDER 3553(A)
2 CONSIDER PUNISHMENT. AND I ALLUDE TO IT IN MY
3 SENTENCING MEMO, BUT PUNISHMENT CAN COME IN A LOT OF
4 FORMS. IT'S NOT JUST A CERTAIN AMOUNT OF DAYS OR MONTHS
5 OR YEARS IN JAIL. IT COMES IN A LOT OF FORMS. AND IN
6 THIS CASE, I WOULD SUGGEST THAT THE PUNISHMENT HAS BEEN
7 EXTREMELY LARGE. IT'S ALWAYS A LITTLE LARGER FOR
8 SOMEBODY WHO HAS NO PRIOR CONVICTIONS, HAS NO PRIOR
9 CONTACTS WITH THE LAW, THAT THERE IS PUNISHMENT BEYOND
10 JAIL FOR THAT INDIVIDUAL THAT THERE ISN'T FOR SOMEBODY
11 WHO IS BACK FOR THE SECOND, THIRD, FOURTH TIME.

12 THE COURT: THAT'S RATHER CYNICAL OF YOU,
13 MR. WILSON.

14 MR. WILSON: WELL, BUT I THINK IT'S TRUE.
15 THAT FIRST FELONY CONVICTION IS OBVIOUSLY -- CHANGES --

16 THE COURT: I AM NOT DISAGREEING WITH
17 YOU, I AM JUST OBSERVING.

18 MR. WILSON: IT'S TRUE, UNFORTUNATELY.
19 BUT THIS IS A SITUATION THAT YOUR HONOR HAS HAD A LITTLE
20 PICTURE OF HIS FAMILY UPBRINGING AND THE FAMILY VALUES.
21 AND I THINK IT'S A LIGHT INTO WHAT HE WAS FEELING AT THE
22 TIME THAT THIS ALL HAPPENED. HIS BREACH OF TRUST FOR
23 GOLDMAN SACHS AND FOR THE PUBLIC, THE INVESTING PUBLIC
24 AT LARGE, IS PROBABLY NOWHERE NEAR THE BREACH OF TRUST
25 THAT HE COMMITTED WITH HIS FAMILY, AND WHAT THEY

1 EXPECTED OF HIM.

2 HE WAS RAISED TO BE A STAR. HE WORKED TO
3 BE A STAR. HE HAD LARGELY ACHIEVED THAT BY GRADUATION
4 DAY AT HARVARD. IT WAS ONLY A COUPLE OF DAYS BEFORE
5 GRADUATION DAY THAT HE WAS TOLD THAT WELL, THERE'S NOT
6 GOING -- THE PIECE OF PAPER THAT GOES WITH THAT FOLDER
7 IS NOT GOING TO BE THERE FOR THIS REASON. AND STILL HE
8 HAD BEEN CHOSEN BY A COMMITTEE OF STUDENTS AND
9 PROFESSORS TO GIVE ONE OF THE COMMENCEMENT ADDRESSES,
10 AND HE GAVE THAT COMMENCEMENT ADDRESS. IT'S AVAILABLE
11 ON YOUTUBE. AND HE STOOD UP AND TALKED ABOUT WHAT HIS
12 TIME AT HARVARD HAD MEANT TO HIM. HE HAD WON SEVERAL
13 AWARDS, AND I THINK MOST NOTABLE IS A HARVARD BLACK
14 WOMEN'S ASSOCIATION AWARD FOR MOST LEADERSHIP IN A
15 SENIOR. HE WAS A STAR ON THAT DAY, AND IT -- BUT HE
16 KNEW ONCE HE HAD RECEIVED THAT WORD FROM THE
17 DISCIPLINARY COMMITTEE THAT THINGS MIGHT NOT BE THE
18 SAME, AND HE HAD THIS CLOUD HANGING OVER HIM AND THE --
19 AND IT AFFECTED HIS TIME AT GOLDMAN SACHS AND IT'S
20 AFFECTED HIS LIFE EVER SINCE.

21 BUT IT PLAYS A PART, I THINK, IN THE --
22 HOW HE GOT TO THE POINT WHERE HE WOULD -- WHEN THIS STAR
23 ATHLETE WHO WAS -- WHAT HAS NOT BEEN SAID SO FAR, MYCHAL
24 KENDRICKS WAS ON -- I KNOW FROM PUBLIC INFORMATION WAS
25 ON A \$440,000 A YEAR CONTRACT, HIS ROOKIE CONTRACT. AND

1 HE WAS VERY SHORTLY DUE TO -- HIS ROOKIE CONTRACT WAS
2 ABOUT TO EXPIRE AND HE WAS VERY SHORTLY DUE TO GET
3 MILLIONS AND MILLIONS AND MILLIONS OF DOLLARS. AND MY
4 CLIENT WAS AWARE OF THAT, AND MYCHAL KENDRICKS DISCUSSED
5 THAT WITH HIM. IT'S PUBLIC KNOWLEDGE THAT MYCHAL
6 KENDRICKS GOT A BONUS OF LIKE \$8.8 MILLION WHEN HE
7 FINALLY SIGNED THAT CONTRACT IN THE VERY NEXT CALENDAR
8 YEAR. HE GOT A \$44 MILLION CONTRACT TOTAL. THAT WAS --

9 THE COURT: MR. WILSON, THAT'S LIKE
10 TELLING THE LAWYERS HERE THAT STARTING ASSOCIATES IN LAW
11 FIRMS THESE DAYS ARE GETTING PAID THREE TIMES WHAT
12 FEDERAL JUDGES GET PAID. THERE IS NO POINT TO THAT.

13 MR. WILSON: IT WAS PART OF THE
14 DISCUSSION BETWEEN -- IT WAS WHAT MYCHAL KENDRICKS WAS
15 DANGLING.

16 THE COURT: NOT TO MENTION HOW MUCH MORE
17 THAN PUBLIC DEFENDERS MAKE.

18 MR. WILSON: IT WAS PART OF THE
19 DISCUSSION --

20 THE COURT: -- OR GOVERNMENT LAWYERS.
21 SORRY.

22 MR. WILSON: IT WAS PART OF THE
23 DISCUSSION THE -- THE CARROT THAT MYCHAL KENDRICKS WAS
24 DANGLING.

25 THE COURT: THERE IS NO QUESTION. I

1 UNDERSTAND COMPLETELY THAT MAMMON, MONEY WAS IN
2 OPERATION IN THIS CASE. I GET IT.

3 MR. WILSON: BUT --

4 THE COURT: AND MAYBE EVEN ENVY.

5 MR. WILSON: THE POINT IS THAT HE WAS
6 22 YEARS OLD AT THE TIME. THIS GUY WAS SORT OF DRAWN
7 ALONG AND SUGGESTED I WANT SURE THINGS. I DON'T WANT
8 YOUR EDUCATED GUESS, I DON'T WANT YOUR NUMBERS
9 CRUNCHING, I WANT SURE THINGS. DIDN'T BITE THE FIRST
10 TIME, BUT HE BIT THE SECOND TIME THAT IT WAS PROPOSED TO
11 HIM. AND HE DID IT, HE DID IT FOR FOUR MONTHS, HE DID
12 IT FOR FOUR TRADES. THE ONLY INVOLVEMENT THAT HE REALLY
13 HAD WITH RESPECT TO THAT ACTIVITY AFTERWARDS APPEARS TO
14 BE SOME TEXT IN JANUARY AND MARCH OF 2015 WHERE HE WAS
15 ASKING TO GET PAID FOR THE INFORMATION. HE HAD NO --
16 BECAUSE HE LOST ACCESS TO THE ACCOUNT HERE, YOUR HONOR,
17 AFTER THE OPTIONS EXPRESS HAD NOTIFIED MYCHAL KENDRICKS
18 THAT THERE HAD BEEN THESE UNEXPECTED TRADES FROM AN IP
19 ADDRESS IN NEW YORK. HE NO LONGER HAD ACCESS AFTER THAT
20 TO THE ACCOUNT, AND HE DIDN'T KNOW HOW MUCH MONEY MYCHAL
21 KENDRICKS HAD MADE ON ANY OF THESE TRADES.

22 HE KNEW ON THE FIRST ONE, HE KNEW ON THE
23 VERY FIRST TRADE THAT THEY DID. BUT AFTER THAT HE HAD
24 NO IDEA HOW MUCH WAS BEING INVESTED AND HOW MUCH HE MADE
25 ON THOSE TRADES. THAT WAS ALL BEING DONE BY MYCHAL

1 KENDRICKS AND CHRISTIAN RAMSEY AT THAT POINT, AND AT
2 SOME POINT JUST BY CHRISTIAN RAMSEY. BUT AFTER NOVEMBER
3 OF 2014, MY CLIENT DECIDED TO STOP GIVING INFORMATION.
4 HE TRIED TO GIVE -- TO GIVE INSIDE INFORMATION. HE
5 TRIED TO GIVE ADVICE ABOUT PUBLICLY-AVAILABLE KNOWLEDGE,
6 RELATED KNOWLEDGE, AND CHRISTIAN RAMSEY TOTALLY REJECTED
7 THAT AND SAID, NO, MYCHAL WANTS SURE THINGS. AND THAT
8 WAS THE END OF THAT RELATIONSHIP EFFECTIVELY, OR SPELLED
9 THE END OF THAT RELATIONSHIP. SO FOR APPROXIMATELY FOUR
10 MONTHS, YOU KNOW, WHEN HE WAS 22, 23 YEARS OLD, HE HAD
11 LOST HIS -- A SIGNIFICANT OFFER FROM A HEDGE FUND, ONE
12 THAT HE THOUGHT WAS GOING TO ALLOW HIM TO TELL HIS
13 PARENTS THAT THEY DON'T HAVE TO WORK ANY MORE, HE WAS
14 GOING TO TAKE CARE OF THEM. THAT HE LOST OUT BECAUSE
15 THEY FOUND OUT THAT HE DIDN'T HAVE THE DIPLOMA. HE WAS
16 CONCERNED ABOUT HIS FOOTING AT GOLDMAN SACHS.

17 HE WAS GETTING DISENCHANTED WITH GOLDMAN
18 SACHS AND HE HAD BEEN OFFERED A JOB IN HOLLYWOOD AT THAT
19 POINT TO GO WORK FOR -- ON BLACKISH THAT HE DECIDED TO
20 GET INVOLVED IN THIS. HE WAS NOT -- HE DIDN'T FEEL GOOD
21 ABOUT IT. HE WAS NOT MAKING -- AS I NOTED, HE MADE
22 ABOUT ONE PERCENT OF -- OR A LITTLE LESS THAN ONE
23 PERCENT OF WHAT AT ONE POINT WAS THE PROFIT FROM THESE
24 TRADES. AND SO IT WASN'T LIKE HE WAS GOING TO BE ABLE
25 TO GET RICH DOING THIS OR IN ANY WAY. HE WAS HOPING

1 THAT IT WOULD ALLOW -- THAT MYCHAL WOULD REFER OTHER
2 ATHLETES TO HIM THAT HE WOULD BE ABLE TO MAKE A LIVING
3 GIVING LEGITIMATE FINANCIAL ADVICE ABOUT.

4 SO WITH ALL OF THAT IN PERSPECTIVE, I --
5 USING THE WEATHER METAPHOR, I LIKEN THIS TO A POINT AT
6 WHICH THE BAROMETER HAD DROPPED TREMENDOUSLY FOR HIM IN
7 SEVERAL WAYS. UNRELATED TO HIS FAMILY, HIS JOB, HIS
8 STATUS THAT WAS KNOWN BY THE PUBLIC, THINGS WERE FALLING
9 OR STARTING TO FALL APART A LITTLE BIT FOR HIM, AND HE
10 DIDN'T -- THE STAR DID NOT QUITE KNOW HOW TO DEAL WITH
11 IT AT THAT POINT, AND HE DIDN'T MAKE THE RIGHT CHOICE
12 UNTIL HE DID MAKE THE RIGHT CHOICE.

13 HE STOPPED DOING IT, AND THEN WHEN THE
14 FBI CAME TO HIM, HE MADE ALL THE RIGHT DECISIONS AFTER
15 THAT REGARDING WHAT TO DO. AND HE HAS BEEN DOING THAT
16 NOW FOR FIVE-AND-A-HALF YEARS, AT LEAST. WHICH IS --
17 WHICH SAYS SOMETHING ABOUT HOW HE HAS RIGHTED THINGS TO
18 SOME EXTENT. THE PUNISHMENT NOT ONLY INCLUDES THE SHAME
19 THAT HE FEELS AT HAVING ABUSED THE BREACH OF TRUST WITH
20 HIS PARENTS, BUT ALSO LOSS OF JOB. WHEN THIS CAME OUT,
21 HE HAD A GOOD JOB. HE HAD FINALLY GOTTEN HIMSELF A GOOD
22 JOB WORKING ON THE SIMPSONS. AND THIS CAME OUT, AND
23 THEY DIDN'T RENEW HIM EVEN THOUGH HE HAD BEEN WORKING
24 THERE FOR A COUPLE OF CYCLES OF CONTRACT. AND THEY
25 DIDN'T RENEW HIM SIMPLY BECAUSE OF THE PRESS THAT HAD

1 COME OUT AS A RESULT OF THAT.

2 SO THAT WAS -- THAT SENT HIM INTO A
3 TAILSPIN. AS YOUR HONOR KNOWS, I MADE SEVERAL REQUESTS
4 TO CHANGE THE CONDITIONS OF SUPERVISION SO THAT HE COULD
5 GO BACK TO LIVE WITH HIS MOTHER IN HOUSTON WHEN HE
6 DIDN'T HAVE SUFFICIENT INCOME IN L.A. TO STAY THERE.
7 YOUR HONOR GRACIOUSLY ALLOWED HIM TO GO BACK TO L.A. TO
8 LOOK FOR WORK WHEN HE THOUGHT HE HAD SOME LEADS ON
9 POTENTIAL WORK IN L.A. AND THEN TO MOVE BACK TO HOUSTON
10 AGAIN WITH HIS MOTHER WHERE HE LIVES NOW, AND WHERE HE
11 HAS FINALLY FOUND -- HE FOUND REMOTE WORK, HE'S FOUND
12 WORK -- WORKING REMOTELY WITH A START-UP IN CALIFORNIA
13 AND ONE IN AUSTIN, TEXAS. AND SIGNIFICANTLY, ONE OF
14 THEM DEALS WITH TRYING TO FIND EMPLOYMENT FOR RELEASEES
15 FROM PRISON.

16 AND YOUR HONOR IS GOING TO HEAR FROM HIM,
17 BUT I KNOW, BECAUSE I HAVE KNOWN HIM NOW FOR FOUR YEARS,
18 MORE THAN FOUR YEARS, THAT HE HAS GROWN UP
19 SIGNIFICANTLY. HE HAS LEARNED A LOT. HE TURNS 30 NEXT
20 WEEK. HE IS A DIFFERENT PERSON, I SUSPECT. HE'S A
21 DIFFERENT PERSON THAN WHEN I MET HIM, BUT HE IS ALSO A
22 DIFFERENT PERSON, I SUSPECT, THAN WHEN HE WAS 22 OR 23.
23 AND AS I WAS SITTING THERE LISTENING TO HIS FATHER SPEAK
24 AND HIS MOTHER SPEAK, I HAD RECALLED A TIME IN MY
25 SOPHOMORE YEAR OF COLLEGE WHEN I HAD NOT SUCH A GOOD

1 SEMESTER BECAUSE OF A BURGEONING SOCIAL LIFE AND MY
2 FATHER SITTING DOWN -- AND BACK THEN PARENTS GOT YOUR
3 GRADES FROM COLLEGE. IT WASN'T UPON YOU TO TELL THEM.
4 AND HE SAT ME DOWN AND TOLD ME HOW DISAPPOINTED HE WAS
5 IN ME, AND THAT HE COULD NOT HAVE PUNISHED ME IN ANY
6 GREATER WAY THAN THAT. AND I SUSPECT THAT THAT'S TRUE
7 FOR DAMILARE.

8 THE COURT: THANK YOU, MR. WILSON.

9 I AM VERY INTERESTED IN HEARING FROM YOU,
10 MR. SONOIKI. YOU HAVE GOT A FULL OPPORTUNITY TO SPEAK
11 TO ME ON YOUR OWN BEHALF. TELL ME ANYTHING YOU THINK I
12 SHOULD KNOW THAT I HAVE NOT BEEN TOLD ALREADY. TELL ME
13 ABOUT YOURSELF, WHAT YOU HAVE LEARNED FROM THIS
14 EXPERIENCE, IF ANYTHING, AND HOW YOU HAVE LEARNED IT.
15 WHAT DO YOU THINK IS IMPORTANT IN THIS WHOLE PROCESS, OR
16 TELL ME OR ANYBODY ELSE ANYTHING THAT YOU THINK IS
17 PERTINENT. AND OF COURSE, YOU HAVE THE RIGHT NOT TO SAY
18 A WORD, BUT THAT'S JUST YOUR OPTION.

19 THE DEFENDANT: THANK YOU, YOUR HONOR.

20 YOUR HONOR, I SUBMITTED THIS STATEMENT TO
21 YOU, BUT I WANT TO READ IT ALOUD FOR THE COURT AS WELL,
22 AND ALSO ELABORATE ON SOME PARTS OF IT, IF THAT'S OKAY.

23 THE COURT: YOU MIGHT -- YOU SHOULD TRUST
24 ME WHEN I SAY I HAVE READ THAT.

25 THE DEFENDANT: AGAIN, THAT CASE -- I

1 WANT TO SAY THAT, YOU KNOW, YOU ASKED MY FATHER WHAT IS
2 DIFFERENT NOW, WHAT I HAVE LEARNED. I THINK, YOU KNOW,
3 AS HAS BEEN DISCUSSED, I WAS IN A MOMENT OF CRISIS WHEN
4 THIS HAPPENED IN 20 -- I HAD WHAT FELT LIKE KIND OF LIKE
5 A YEAR FROM -- YOU KNOW, JUST A CURSED YEAR. AND MAY OF
6 2013, YOU KNOW, THIS DAY IS SUPPOSED TO BE THE HAPPIEST
7 DAY OF MY LIFE, GRADUATION, AND TURNS OUT TO BE A VERY
8 BLEAK DAY.

9 Q. YES, BUT WHOSE RESPONSIBILITY --

10 A. THAT WAS MY RESPONSIBILITY, AND I THINK THAT --
11 AND I THINK I HAVE THIS, YOU KNOW, BOOK-ENDED BY THIS A
12 YEAR LATER. AND I THINK, YOU KNOW, THIS -- ANOTHER
13 CRISIS CAME UPON OF MY RESPONSIBILITY WHEN THIS
14 HAPPENED, AND I THINK WHAT I DID IS I TOOK ALL THE
15 LESSONS, ALL OF THE THINGS I SHOULD HAVE DONE WHEN THAT
16 HAPPENED BACK IN 2013, I FELT LIKE I HAVE DONE THOSE
17 THINGS NOW, WHEREAS AT THAT TIME I WAS VERY ASHAMED. I
18 DIDN'T ASK FOR HELP. YOU HAVE SEEN THE LETTERS, YOU
19 HAVE SEEN -- THOSE SAME PEOPLE WHO WROTE LETTERS, THOSE
20 I COULD HAVE TURNED TO. EVERYONE HERE IS SOMEONE THAT I
21 COULD HAVE TURNED TO AT THAT MOMENT AND I DIDN'T. AND I
22 WAS SO -- I THINK THAT YOU HAVE HEARD HOW PEOPLE SAY I
23 WAS SO SMART AND SO -- SO I REALLY VALUE THEIR
24 PERCEPTION OF ME AS SOMEONE OF HIGH ESTEEM.

25 THE COURT: MR. SONOIKI, ONE OF THE

1 THINGS I HAVE KIND OF LEARNED OVER THE YEARS IS THAT ON
2 SOME LEVEL WE ARE ALL FAKING IT.

3 A. RIGHT.

4 Q. AND YOU LEARNED THAT LESSON BECAUSE YOU KNEW IN
5 YOUR HEART OF HEARTS AND IN YOUR MIND THAT WHILE
6 EVERYBODY ELSE THOUGHT YOU WERE SUCH A STAR, MAYBE TO
7 YOU, MAYBE I WILL GO FROM WEATHER TO ASTRONOMY, THAT
8 THERE ARE STARS AND THEN THERE ARE THINGS THAT SEEM TO
9 BE STARS AND THEY FLAME OUT. I CAN'T REMEMBER WHAT THEY
10 ARE, BUT THERE IS SOME ASTRONOMICAL WORD FOR THAT. AND
11 THAT'S TRUE OF ALL OF US.

12 A. RIGHT.

13 Q. EVEN YOU.

14 A. NO, I AGREE. AND I THINK THAT I HAVE LEARNED
15 THAT, YOU KNOW, TRANSPARENCY IS IMPORTANT, YOU KNOW, AND
16 I THINK AT THAT ALL OF THESE STAGES I HID THINGS. I HID
17 THAT I HAD NOT GRADUATED. I HID THAT --

18 Q. BY THE WAY, DID YOU EVER GO BACK AND GET A
19 DEGREE?

20 A. I AM IN THE PROCESS OF THAT NOW.

21 Q. LIKE HOW ARE YOU IN THE PROCESS?

22 A. I HAVE BEEN APPLYING TO CERTAIN -- YOU KNOW,
23 MOREHOUSE, JUST A FEW PLACES WHERE I CAN GO REMOTELY.
24 NOW THAT I HAVE SOME INCOME TO PAY FOR IT, TO TRY AND
25 COMPLETE THAT.

1 Q. BECAUSE YOU SHOULD NOT HAVE MUCH. YOU SHOULD
2 NOT HAVE MUCH, RIGHT?

3 A. YEAH, WELL --

4 Q. TO COMPLETE IT AND GET A DEGREE?

5 A. RIGHT. RIGHT. IT'S BEEN -- YEAH, IT'S BEEN
6 SOMETHING THAT IS -- OR YEAH, TO GET AN UNDERGRAD OR TO
7 GET A DEGREE. BUT --

8 Q. THEN YOU CAN ACTUALLY PUT ON A C.V. THAT YOU
9 GRADUATED FROM COLLEGE.

10 A. RIGHT.

11 Q. RIGHT?

12 A. I AGREE. I AM JUST -- I APOLOGIZE FOR BEING --
13 I PLANNED TO KIND OF READ THE STATEMENT, BUT I -- I FEEL
14 LIKE I HAVE EVERYTHING THAT I -- ALL OF THE MISTAKES
15 THAT I MADE, THE VERY STUPID THINGS THAT I DID, I HAVE,
16 YOU KNOW, TAKEN -- FIRST OF ALL, I ACKNOWLEDGE THAT AS
17 MUCH AS I CAN SAY OH, IT WAS BECAUSE OF THIS SITUATION,
18 ANYONE ELSE -- THERE ARE OTHER PEOPLE WHO IN THAT SAME
19 SITUATION WOULD HAVE DONE THE RIGHT THING, YOU KNOW,
20 WOULD NOT HAVE BROKEN THE LAW, WOULD HAVE SIMPLY
21 TRANSFERRED THEIR CREDITS ELSEWHERE, WOULD HAVE NOT
22 SPIRALED INTO SUCH FOOLISH BEHAVIOR. AND SO I JUST WANT
23 TO SAY THAT THAT'S NOT AN EXCUSE. I UNDERSTAND THAT
24 THAT WAS MY FAULT AND I AM NOT -- THAT DOES NOT, YOU
25 KNOW -- HOWEVER MANY OFFERS I LOST, HOWEVER MANY DEGREES

1 I DIDN'T GET, THAT'S NOT AN EXCUSE FOR WHAT I DID. AND
2 I WANT TO BE VERY CLEAR ABOUT THAT, BECAUSE I KNOW THAT,
3 YOU KNOW -- AND I KNOW NOW, EVEN GOING THROUGH THIS
4 PROCESS, THAT THERE ARE ALWAYS OTHER OPTIONS. YOU CAN
5 MOVE BACK HOME, YOU DON'T HAVE TO LIVE IN L.A. YOU CAN
6 -- YOU DON'T HAVE TO WRITE FOR THE SIMPSONS, YOU KNOW,
7 THERE ARE OTHER OPTIONS.

8 AND SO I THINK THAT, YOU KNOW, IN THIS
9 STORM, AS MY LAWYER HAS SAID, YOU KNOW, I HAVE TAKEN ALL
10 THE THINGS FROM THE PAST STORMS THAT I DID WRONG, WHICH
11 WAS HIDE AND BE -- YOU KNOW, PRETEND, PRETEND EVERYTHING
12 WAS OKAY, NOT ASK FOR HELP FROM PEOPLE BECAUSE I JUST --
13 I NEEDED THEM TO BELIEVE THAT I WAS THIS STAR, THAT
14 EVERYTHING -- NOTHING WENT WRONG FOR ME, THAT EVERYTHING
15 WAS JUST PERFECTLY FINE. AND I HAVE COME AND SAID LOOK,
16 I WANT -- ON ONE LEVEL I DIDN'T HAVE A CHOICE,
17 OBVIOUSLY, BECAUSE THINGS ARE PROBABLY -- BUT I JUST
18 SAID, HEY, LOOK, THINGS ARE VERY DIFFICULT. THE TWO
19 JOBS THAT, YOU KNOW, YOU HAVE SEEN THAT I HAD, YOU KNOW,
20 IN JANUARY I CALLED PEOPLE I KIND OF LOOKED UP TO THEM
21 AND KIND OF SAID, HEY, I NEED HELP. I HAVE -- ASIDE
22 FROM THOSE TWO MONTHS FROM THE SHADE ROOM FOR THAT IN
23 LOS ANGELES, I HAD NOT REALLY WORKED SINCE. AND I
24 ALWAYS THOUGHT BECAUSE PEOPLE IN ENTERTAINMENT WERE
25 FRIENDLY AFTERWARDS A LITTLE BIT. I THOUGHT, I WILL --

1 THERE WILL BE ANOTHER OPEN DOOR AND THERE HASN'T.

2 AND SO I HAD TO COME VERY MEEKLY AND VERY
3 HUMBLY AND SAY LOOK, THINGS ARE BAD RIGHT NOW. THINGS
4 ARE NOT GOING WELL. DO YOU HAVE -- IS THERE A COMPANY
5 THAT YOU CAN -- AND SOME SAY, OH, THERE'S A COMPANY IN
6 AUSTIN, THEY DO THIS AND THAT. MAYBE YOU CAN HELP THEM
7 CRUNCH NUMBERS. OR THERE'S A COMPANY THAT HELPS FELONS
8 FIND JOBS. YOU CAN DO THAT. SO I HAVE REALLY, REALLY
9 LEARNED TO, YOU KNOW -- I HAVE BEEN HUMBLLED. I HAVE
10 ALWAYS HAD --

11 Q. SPEAKING OF THAT, I CANNOT HELP BUT WONDER WHAT
12 YOU WERE THINKING AS YOU LISTENED TO YOUR MOM AND YOUR
13 DAD AND YOUR COUSIN AND YOUR UNCLE AND YOUR AUNT SPEAK,
14 WHAT WAS GOING THROUGH YOUR HEAD?

15 A. YOU SAW ME, I WAS CRYING. I THINK A LOT OF
16 SORROW. I THINK THAT -- YOU KNOW, LIKE MY -- OBVIOUSLY,
17 BREACHING THE TRUST OF THE FINANCIAL MARKETS IS ILLEGAL,
18 IS A CRIME, AND IT'S VERY SERIOUS. BREACHING THE TRUST
19 OF MY PARENTS, BREACHING THE TRUST OF PEOPLE WHO TOOK ME
20 INTO THEIR HOME. ALL OF THESE PEOPLE HAVE TAKEN ME INTO
21 THEIR HOMES. THEY HAVE COOKED FOR ME, THEY HAVE BEEN
22 THERE FOR ME THROUGHOUT ALL OF THESE YEARS. THEY HAVE
23 BEEN A TRIBE FOR ME AND THEY -- PEOPLE -- YOU KNOW, I
24 FELT SORROW, I JUST FELT GRIEF. I THOUGHT JUST BECAUSE
25 MY -- I ALWAYS DREAMED OF THE DAY WHERE I COULD TELL MY

1 PARENTS, HEY, YOU DON'T HAVE TO WORK ANY MORE BECAUSE
2 THEY SACRIFICED SO MUCH.

3 Q. THAT'S NOT ALL THAT IMPORTANT TO THEM.

4 A. I KNOW THAT NOW.

5 Q. I MEAN, YOU CAN SEE YOUR FAMILY IS A FAMILY
6 WHERE THINGS ARE MUCH MORE IMPORTANT THAN NOT HAVING TO,
7 QUOTE, WORK?

8 A. RIGHT.

9 Q. ACTUALLY, I HAVE COME TO APPRECIATE THE CONCEPT
10 OF WORKING OUTSIDE THE HOME AS OPPOSED TO JUST THE WORD
11 "WORK." SO IT DOES NOT --

12 A. WORKING OUTSIDE THE HOME.

13 Q. THEY DON'T LOOK TO YOU TO PROVIDE THEM WITH A
14 CUSHY EXISTENCE.

15 A. I UNDERSTAND THAT, YOUR HONOR. I THINK THAT --
16 YOU KNOW, IF YOU LISTENED TO THEIR -- AS WE ALL LISTENED
17 TO THE TESTIMONY, THEY -- I FELT EVERYONE BEHIND ME DID
18 SO MUCH TO HELP ME.

19 Q. WHAT IS THE LESSON? WHAT IS A LESSON THAT IS
20 INESCAPABLE AS YOU SIT HERE IN THIS -- STAND HERE IN
21 THIS COURTROOM AND YOU HAVE ALL OF THESE PROBLEMS AND
22 ALL OF THIS IS COMING TO CRASH DOWN ON YOU. WHAT HAVE
23 YOU LEARNED ABOUT YOUR FAMILY EVEN AFTER ALL OF THAT?

24 A. I HAVE LEARNED THAT THEY WILL ALWAYS BE THERE.

25 Q. RIGHT. OKAY. GO AHEAD.

1 A. THAT'S REALLY IT. I THINK THAT, YOU KNOW, I
2 JUST WANT TO SAY I HAVE BEEN VERY HUMBLLED AND I HAVE
3 BEEN VERY -- YOU KNOW, CHASTENED AND HAVE LOST -- WE
4 TALK ABOUT, YOU KNOW -- AND HONESTLY, MONEY ISN'T
5 EVERYTHING, BUT YOU TALK -- THE AMOUNTS WHEN WE TALK
6 ABOUT THIS, IT'S SO -- TO WAKE UP AND REALIZE YOU THREW
7 YOUR LIFE AWAY FOR 10, \$12,000.

8 Q. WELL, YOU WERE LIVING IN A VERY UNRELIABLE
9 LIFESTYLE, VERY UNRELIABLE MILIEU. I CANNOT EVEN
10 IMAGINE SOMETHING LESS SUBSTANTIVE THAN TO BE DASHING
11 AROUND NEW YORK OR THEN GO FROM THERE TO HOLLYWOOD. I
12 MEAN, TALK ABOUT FRYING PANS INTO FIRES. THERE IS NOT A
13 WHOLE LOT OF THERE-THERE, IS THERE?

14 A. RIGHT, I THINK --

15 Q. WELL, I AM FROM SOUTHERN CALIFORNIA, SO I KNOW
16 WHAT I SPEAK. AND I CERTAINLY HAVE DASHED AROUND NEW
17 YORK IN UBER AND LYFT AND ALL OF THAT. AND THERE IS NOT
18 A WHOLE LOT OF SUBSTANCE IF YOU ARE REALLY INTO THAT
19 LIFE. AND THAT'S WHY YOU ENDED UP WHERE YOU ARE. AND
20 YOU KNOW THE BIGGEST PROBLEM YOU ARE GOING TO HAVE HERE
21 IS BECAUSE YOUR CRIME HAS TO DO WITH COMMITTING A CRIME
22 IN VIOLATION OF FIDUCIARY DUTY YOU HAD IN THE SECURITIES
23 MARKET, IS THAT THAT IS ONE DOOR THAT ACTUALLY HAS --
24 REALLY BECOMES VERY TIGHTLY CLOSED IN TERMS OF THAT
25 OPTION. BUT YOU HAVE ALL SORTS OF OTHER OPTIONS. YOU

1 ARE APPARENTLY A WELL-EDUCATED YOUNG MAN; YOU ARE
2 HEALTHY, GOOD NEWS FOR YOU; YOU HAVE A FAMILY THAT CARES
3 ABOUT YOU; YOU HAVE GOT A NETWORK OF FRIENDS; AND YOU
4 SORT OF KNOW HOW THINGS WORK.

5 A. RIGHT.

6 Q. SO YOU ARE GOING TO BE FINE EVENTUALLY. ONE
7 THING YOU CAN'T DO IS YOU CAN'T TO WORK IN THE
8 SECURITIES MARKET BECAUSE YOU ARE NEVER GOING TO GET A
9 LICENSE OR ANYTHING LIKE THAT WITH THESE PROBLEMS. BUT
10 THAT'S NOT THE END OF THE WORLD FOR YOU.

11 A. RIGHT. AND I HAVE LEARNED THAT AND I HAVE
12 REACHED OUT TO THESE FRIENDS, THESE JOBS THAT I HAVE
13 NOW. AND LIKE YOU WERE SAYING ABOUT HOLLYWOOD, THERE IS
14 NOT A LOT OF THERE-THERE. THESE DAYS, WHEN I CAN PICK
15 UP THE PHONE AND I TALK TO A CANDIDATE FOR ONE OF THE
16 JOBS I HAVE BEEN WORKING THAT SOMEBODY WHO HAS A FELONY
17 AND WHO HAS A PROBLEM AND HELP THEM GET A JOB. THAT
18 BRINGS A LOT OF SATISFACTION TO -- YOU KNOW, YOU DON'T
19 NEED TO BE AT AWARD SHOWS, YOU KNOW, AT BIG FANCY
20 DINNERS, AND GALAS AND JET-SETTING AROUND. I THINK THAT
21 THAT'S SOMETHING THAT I HAVE LEARNED, YOU KNOW, THAT
22 THERE IS OBVIOUSLY SO MUCH MORE TO LIFE THAN MONEY, THAN
23 BEING AROUND SOME SUPERSTAR ATHLETE OR THINGS OF THAT
24 NATURE. AND, YOU KNOW, THESE JOBS THAT I HAVE NOW ARE
25 MUCH MORE LOW PROFILE, THEY ARE MUCH MORE REWARDING,

1 ESPECIALLY WITH 70,000,000 JOBS, YOU KNOW, I HELP
2 CANDIDATES, YOU KNOW, WHO I THINK -- HELP CANDIDATES
3 WITH A CRIMINAL RECORD GET JOBS.

4 BUT I JUST WANT TO SAY THAT I HAVE
5 LEARNED SO MUCH. I HAVE LOST A LOT AND I HAVE ALSO
6 GAINED A LOT AND I WANT YOU TO TAKE THAT INTO
7 CONSIDERATION. AND JUST TAKE INTO CONSIDERATION JUST
8 THAT, YOU KNOW, I HAVE SEEN THOSE -- AND I AGREE THAT
9 OBVIOUSLY EACH OF THESE CRISES -- ALL OF THESE CRISES,
10 EVERYTHING, I AM A COMMON DENOMINATOR SO YOU KNOW
11 EVERYTHING THAT HAPPENS IN MY LIFE. SO THESE CRISES,
12 WERE -- THEY WERE MY MAKING. I SHOULD HAVE SAID
13 ABSOLUTELY NOT. INSIDE INFORMATION? NO, NOT AT ALL. I
14 HAD THAT OPTION. YOU KNOW, NOW THAT THIS OTHER CRISIS
15 MOMENT HAS HAPPENED, I FEEL LIKE I HAVE DUG DOWN, YOU
16 KNOW, I HAVE DUG EVERYTHING THAT I KNEW -- NOW THAT I
17 KNOW, I HAVE LEARNED THAT YOU CAN CALL ON YOUR FAMILY.
18 THEY ARE NOT GOING TO DISOWN YOU BECAUSE, YOU KNOW,
19 THERE IS SOME SORT OF DEGREE -- YOUR DEGREE -- THEY
20 MIGHT BE UPSET AND CRY, BUT IT'S BETTER THAN --

21 Q. THEY MIGHT EVEN BE ANGRY WITH YOU, BY THE WAY.

22 A. YES, THEY MIGHT, BUT THEY ARE NOT GOING TO
23 ABANDON YOU. EVEN THE FRIENDS, I THOUGHT FOR SURE THESE
24 FRIENDS HAVE WRITTEN LETTERS AND TWO OF THEM HELPED ME
25 GET EACH OF THESE JOBS, AND SO -- AND I REALLY JUST

1 PLEAD WITH YOU -- I STARTED THE ONE JOB IN AUSTIN IN
2 JANUARY, BUT ONLY JULY -- TWO WEEKS AGO IS WHEN I GOT A
3 FULL-TIME OFFER FOR THEM TO WORK REMOTELY. AND THEN
4 THIS OTHER JOB WITH HELPING FELONS TRYING TO GAIN
5 EMPLOYMENT, I HAVE BEEN WORKING FOR THEM SINCE --
6 FULL-TIME -- REALLY PART-TIME SINCE JULY.

7 Q. THAT REMINDED ME. YOUR DAD TOLD ME ABOUT YOUR
8 INTEREST IN HELPING OLDER PEOPLE.

9 A. YEAH.

10 Q. WHAT IS THAT ABOUT?

11 A. WELL, I THINK I JUST ALWAYS LIKED -- BEEN DRAWN
12 TO PEOPLE WHO OTHERS MIGHT CAST ASIDE, YOU KNOW, PEOPLE
13 WHO ARE -- WHO MIGHT BE VULNERABLE. AND I THINK THAT
14 ALSO OLDER PEOPLE HAVE A LOT OF WISDOM. MY
15 GRANDPARENTS, JUST LIKE LISTEN TO THEM, THEIR STORIES
16 AND VISITING WITH THEM. AND I THINK THAT THEY HAVE --
17 THEY HAVE A WRY SENSE OF HUMOR AND I THINK THAT THEY ARE
18 -- TO BE FAIR, WE ONLY HAVE -- STATISTICALLY WE DON'T
19 HAVE SO MUCH TIME LEFT WITH THEM, SO I WANT TO SOAK UP
20 THE TIME THAT THEY OFFER.

21 THE COURT: I WILL TELL YOU WHAT, I AM
22 GOING TO -- EVERYBODY GETS SO MANY DIFFERENT CHANCES TO
23 SPEAK TO ME. MR. IGNALL GETS TO TALK TO ME AGAIN ABOUT
24 WHAT HIS VIEW IS ABOUT THE SENTENCING FUNCTION HERE.
25 AND IF THERE IS SOMETHING MORE THAT WE HAVE NOT COVERED

1 THAT YOU WANT TO SAY, THAT'S PERFECTLY FINE.

2 THE DEFENDANT: OKAY.

3 THE COURT: OKAY.

4 THE DEFENDANT: THANK YOU. THANK YOU SO
5 MUCH.

6 THE COURT: ABSOLUTELY.

7 I DO WANT TO RECOGNIZE THE GOVERNMENT'S
8 COUNSEL FOR HIS ADDITIONAL REMARKS AND RECOMMENDATIONS.

9 MR. IGNALL: YES, YOUR HONOR.

10 OF COURSE EVERY CASE IS UNIQUE, EVERY
11 DEFENDANT IS UNIQUE. BUT AS INSIDER TRADING CASES GO,
12 THIS IS VERY UNIQUE, I THINK THAT'S PROBABLY REDUNDANT
13 RIGHT THERE. BUT WE HAVE A SITUATION --

14 THE COURT: ESPECIALLY UNIQUE.

15 MR. IGNALL: YES, EXACTLY. COULD BE THE
16 MOST UNIQUE, MOST TYPICAL, I DON'T KNOW.

17 BUT MR. SONOIKI CLEARLY BREACHED THE
18 TRUST OF HIS EMPLOYER. HE HAD ACCESS TO THE INFORMATION
19 THAT WAS POTENTIALLY WORTH MILLIONS OF DOLLARS. AND THE
20 FIRM, THEIR CLIENTS, THE MARKETS ALL RELY ON THE PEOPLE
21 WHO WORK THERE KEEPING THAT INFORMATION TO THEMSELVES.
22 THE MARKETS CAN'T OPERATE IF SOMEONE GETS A LEG UP
23 BECAUSE THEY KNOW SOMETHING THAT IS MATERIAL NON-PUBLIC
24 INFORMATION. SO IT'S A SIGNIFICANT CRIME.

25 BUT MR. SONOIKI STANDS HERE IN A

1 DIFFERENT SITUATION FROM A LOT OF PEOPLE WHO ENGAGE IN
2 INSIDER TRADING. THIS WAS NOT A CASE WHERE MR. SONOIKI
3 GAVE INFORMATION TO MR. KENDRICKS, THEY MADE A MILLION
4 2, THEY SPLIT IT AND BOUGHT A BOAT AND WHO KNOWS WHAT
5 ELSE. AT THE END OF THE DAY, MR. SONOIKI GOT ABOUT 10
6 OR \$12,000 FROM THIS. THE AMOUNT OF THE LOSS, THE
7 NEARLY \$1.2 MILLION, IS APPROPRIATELY CALCULATED IN THE
8 GUIDELINES. IT'S CERTAINLY FORESEEABLE TO MR. SONOIKI,
9 BUT I DON'T BELIEVE THAT HE ACTUALLY FORESAW THAT.
10 BECAUSE MR. KENDRICKS PUT IN \$80,000, AND I THINK AS THE
11 COURT IS AWARE FROM ANOTHER PROCEEDING, MR. KENDRICKS
12 AND MR. RAMSEY THEN DECIDED TO PUT ANOTHER \$80,000 INTO
13 THE OPTIONS EXPRESS ACCOUNT WITHOUT TELLING MR. SONOIKI.
14 SO I BELIEVE MR. SONOIKI ADVISED MR. KENDRICKS AND MR.
15 RAMSEY THAT IF THE NUMBERS WERE SMALL ENOUGH, THEY
16 PROBABLY WOULD NOT GET CAUGHT. I DON'T THINK THAT WAS
17 ACTUALLY TRUE HERE. SO THE GUIDELINE RANGE IS
18 APPROPRIATELY CALCULATED, BUT IT RUNS THE RISK, I THINK,
19 OF OVERSTATING THE SERIOUSNESS OF MR. SONOIKI'S PERSONAL
20 CONDUCT IN TERMS OF WHAT HE ACTUALLY KNEW WAS GOING ON
21 AND WHAT HIS ACTUAL BENEFIT FROM THE CRIME WAS.

22 AND THEN WE HAVE TO BALANCE AGAINST THE
23 SERIOUSNESS OF THE CRIME WHAT MR. SONOIKI HAS DONE SINCE
24 THE FBI APPROACHED HIM. HE HAS BEEN EXTRAORDINARY IN
25 TAKING RESPONSIBILITY FOR HIS OWN ACTIONS. HE HAS

1 PROVIDED THE FBI WITH WHATEVER INFORMATION HE HAS. AND
2 AS WE HAVE DISCUSSED EARLIER, HIS COOPERATION HAS BEEN
3 EXTRAORDINARY THAT THE 5K HERE NEEDS TO BE VERY
4 SIGNIFICANT. HE IS APPROPRIATELY AT A HIGHER GUIDELINE
5 RANGE THAN MR. KENDRICKS BECAUSE OF THE ABUSE OF TRUST,
6 BUT HIS COOPERATION HAS BEEN MUCH MORE SIGNIFICANT.
7 THEN AGAIN, SIGNIFICANT BORDERING ON EXTRAORDINARY. SO
8 I THINK THE COURT NEEDS TO TAKE THAT INTO CONSIDERATION,
9 THAT IT'S A SERIOUS CRIME, WE NEED TO PROMOTE RESPECT
10 FOR THE LAW. WHEN WE CONSIDER THE CHARACTERISTICS OF
11 THIS DEFENDANT AND HIS COOPERATION, WE THINK THE COURT
12 NEEDS TO DEPART SIGNIFICANTLY DOWNWARD BELOW THE LOW END
13 OF THAT GUIDELINE RANGE.

14 THE COURT: OKAY.

15 MR. IGNALL: THANK YOU, YOUR HONOR.

16 THE COURT: THANK YOU VERY MUCH.

17 MR. WILSON, DO YOU OR YOUR CLIENT HAVE
18 ANYTHING MORE YOU WOULD LIKE TO SAY?

19 MR. WILSON: BRIEFLY, YOUR HONOR, THAT
20 WITH RESPECT TO THE LOSS FIGURE, YES, IT'S THE ACCURATE
21 LOSS FIGURE FOR PURPOSES OF THE GUIDELINES. I TOOK A
22 LOOK AT THE 2020 SENTENCING COMMISSION REPORT, AND TABLE
23 E7 WAS THE TABLE FOR THE PREVIOUS YEAR'S ECONOMIC
24 CRIMES, SENTENCES. AND THE ECONOMICS CRIME SENTENCES
25 HAD A 40 PERCENT VARY RATE -- VARIANCE RATE. IT IS ONE

1 OF -- ECONOMIC CRIMES STATISTICALLY IS THE LEAST LIKELY
2 TO HAVE THE GUIDELINES FOLLOWED, AND I JUST POINT THAT
3 OUT --

4 THE COURT: IS IT BETTER BY GEOGRAPHY?

5 MR. WILSON: I DON'T KNOW, YOUR HONOR.
6 YOUR HONOR KNOWS THAT TRADITIONALLY INSIDER TRADING
7 CASES ARE -- THERE ARE EXTREME VARIANCES IN INSIDER
8 TRADING CASES. I KNOW THAT MR. SCHWARTZ ON BEHALF OF
9 MR. KENDRICKS, THOSE ARE THE THREE CASES THAT HE WAS
10 AWARE OF WHERE INSIDER TRADERS WITH GUIDELINES IN THE
11 SIMILAR RANGE TO MY CLIENT'S GOT PROBATION WITHOUT
12 COOPERATION. BUT I RAISE ALL OF THAT -- I WOULD
13 STRONGLY URGE THE COURT TO KEEP MY CLIENT IN THESE JOBS
14 WITH WHATEVER -- YOUR HONOR HAS SEVERAL OPTIONS IN TERMS
15 OF SENTENCING AND I WOULD ASK THAT YOUR HONOR CONSIDER
16 THAT. THANK YOU

17 THE COURT: THAT MEANS SOMEBODY HAS --
18 WELL, THE QUESTION WOULD BE THEN HAS THERE BEEN ANY
19 OUTREACH TO THOSE EMPLOYERS AS TO THEIR RESPECTIVE
20 TOLERANCE?

21 MR. WILSON: NOT ME, YOUR HONOR. I HAVE
22 NOT REACHED OUT TO THEM.

23 THE COURT: DOES ANYBODY HAVE ANY
24 INFORMATION TO IMPART TO ME ON THAT POINT?

25 LET ME PUT IT THIS WAY: HAVE YOU TALKED

1 TO THEM ABOUT YOUR SITUATION AND ASKED TO KNOW WHAT ARE
2 THEIR VIEWS ABOUT WHAT MIGHT HAPPEN?

3 THE DEFENDANT: WELL, I HAVE TOLD THEM --
4 BOTH JOBS, THE PEOPLE I REACHED OUT TO ARE WELL AWARE OF
5 THE SITUATION. AND THEY WERE EITHER, YOU KNOW, INVITED
6 TO A COMPANY OR ON THE BOARD OF THE COMPANY OR AN
7 INVESTOR OF THE COMPANY. SO THEY ARE AWARE OF THE
8 SITUATION AND THEY ARE OBVIOUSLY HOPEFUL THAT I CAN
9 CONTINUE, YOU KNOW, MY EMPLOYMENT. THERE ARE REMOTE
10 JOBS SO I CAN CONTINUE FROM HOME, YOU KNOW.

11 BY THE COURT:

12 Q. IS THERE ANYTHING ABOUT IMMEDIACY, OR IF YOU
13 COULD NOT WORK IMMEDIATELY FOR THEM, ARE THE JOBS THERE
14 FOR YOU?

15 A. I JUST RECEIVED FULL-TIME OFFERS. I BEGAN -- SO
16 THE AUSTIN JOB BEGAN ON A CONTACT BASIS IN JANUARY AND I
17 RECEIVED A FULL-TIME OFFER IN JULY, SO MY START DATE WAS
18 JULY 15TH. AND THEN THE OTHER JOB, MY START DATE WHERE
19 I RECEIVED THE FULL-TIME OFFER WAS JUNE 9TH. AND I AM
20 ONGOING, I AM WORKING FOR THEM IN AN ONGOING BASIS, SO I
21 DON'T KNOW THAT THEY WOULD BE THERE IF I --

22 Q. SO YOU DON'T KNOW ONE WAY OR THE OTHER?

23 A. I DOUBT THAT THEY WOULD BE THERE, YES.

24 Q. DON'T DOUBT, YOU KNOW, DON'T START GUESSING.
25 WHAT I REALLY WANT TO KNOW IS IF ANYBODY HAS DISCUSSED

1 THAT, BECAUSE I FIND THAT TO BE A BIT FRUSTRATING AND
2 RATHER SURPRISING TO ME.

3 A. THEY ARE AWARE OF THE SITUATION, AND THEY, YOU
4 KNOW, THEY KNOW THAT -- THIS CASE HAS UNFORTUNATELY BEEN
5 IN THE NEWS AND THEY KNOW THE REASON -- THEY ARE AWARE
6 THAT I USED TO DO -- I USED TO BE IN A DIFFERENT
7 INDUSTRY AND THE REASON I AM IN WORKING WITH THEM IS
8 BECAUSE OF THE SITUATION.

9 THE COURT: YOU KNOW WHAT, WHY DON'T YOU
10 SIT THERE AND CHAT AND VERIFY IT WITH MR. WILSON. HE
11 KNOWS WHAT I AM EXPRESSING HERE, I BELIEVE, WHICH IS I
12 WANT TO KNOW WHAT THE TOLERANCES ARE IN TERMS OF A
13 HIATUS IN TERMS OF THE FULL-TIME WORKING.

14 MR. WILSON: AND THAT'S WHY I ASK YOUR
15 HONOR THAT YOUR HONOR CONSIDER THE ALTERNATIVE.

16 THE COURT: I UNDERSTAND, BUT I AM NOT
17 GETTING ANY INFORMATION.

18 MR. WILSON: I DON'T HAVE ANY
19 INFORMATION, YOUR HONOR. THIS IS RELATIVELY RECENT
20 VINTAGE. TO BE HONEST, WE HAD HAD NUMEROUS
21 CONVERSATIONS, HE AND I, SINCE 2017 ABOUT CAN HE GET
22 WORK NOW, WHAT IS GOING TO HAPPEN, IS HE GOING TO GO TO
23 JAIL. AND I SAID LOOK, YOU HAVE TO TRY AND LIVE YOUR
24 LIFE, YOU HAVE TO TRY AND GET WORK NO MATTER WHAT. I
25 DON'T -- I, FRANKLY, DON'T KNOW WHETHER HIS EMPLOYERS,

1 THAT HIS DIRECT SUPERVISORS KNOW ABOUT THE POSSIBILITY
2 OF GOING TO JAIL.

3 THE DEFENDANT: THERE ARE --

4 THE COURT: WHY DON'T YOU GUYS TALK.

5 MR. WILSON: YOUR HONOR, MAY WE STEP
6 OUTSIDE?

7 THE COURT: YES.

8 MR. WILSON: THANK YOU.

9 (BRIEF PAUSE IN THE PROCEEDING.)

10 MR. WILSON: THANK YOU, YOUR HONOR.

11 THE COURT: ANY ADDITIONAL SPECIFIC
12 INFORMATION?

13 MR. WILSON: NO ADDITIONAL SPECIFIC
14 INFORMATION, YOUR HONOR, MY CLIENT IS PRETTY SURE THAT
15 HE WOULD NOT HAVE A JOB.

16 THE COURT: I AM NOT GOING TO WORK ON
17 GUESSWORK.

18 MR. WILSON: BUT HE IS FAIRLY CERTAIN,
19 AND IT HAS TAKEN HIM SO LONG TO FIND THESE JOBS. THAT'S
20 WHY --

21 MR. IGNALL: WELL, MY OBSERVATION IS NOT
22 NECESSARILY ABOUT THE JOB AS MUCH AS JUST THE DEPARTURE
23 HERE, YOUR HONOR, THAT I USUALLY DON'T LIKE TO GIVE A
24 SPECIFIC RECOMMENDATION FOR THE DEPARTURE, BUT I WOULD
25 LIKE TO REITERATE HOW SIGNIFICANT MR. SONOIKI'S

1 COOPERATION WAS, AND IF THE DEPARTURE ENDED UP WHERE HE
2 WAS IN SOMEWHERE ZONE B, THAT WOULD ALLOW THE COURT TO
3 IMPOSE SOME SORT OF CONDITION THAT HE BE SUBJECT TO HOME
4 CONFINEMENT IN LIEU OF INCARCERATION. BUT I THINK THE
5 COURT SHOULD CONSIDER A SIGNIFICANT DOWNWARD DEPARTURE
6 AND/OR VARIANCE BELOW THE LOW END OF THE GUIDELINES IN
7 THIS CASE BECAUSE OF HIS COOPERATION.

8 THE COURT: WELL, NOT TO PUT TOO FINE A
9 POINT ON IT, MR. IGNALL, YOU ARE URGING ME TO APPROACH
10 THIS SIMILARLY AS THE ONE I JUST RECENTLY DID, IS THAT
11 RIGHT?

12 MR. IGNALL: I THINK THAT COULD BE
13 APPROPRIATE. I THINK IF THE COURT WERE TO IMPOSE A
14 PERIOD OF HOME CONFINEMENT AS A CONDITION OF
15 SUPERVISION, THAT WOULD BE APPROPRIATE AS WELL, YOUR
16 HONOR.

17 THE COURT: LET ME SEE COUNSEL UP HERE AT
18 SIDEBAR, PLEASE.

19 (AT THIS TIME SIDEBAR THREE OCCURRED,
20 AND WAS PLACED IN A SEPARATE BOOKLET.)

21 THE COURT: WHILE THEY ARE CHATTING, MR.
22 IGNALL, I NOTICE THERE HAS NOT BEEN ANY REFERENCE TO THE
23 NEED FOR A FORFEITURE ORDER ON THE \$10,000?

24 MR. IGNALL: THERE IS. MY LAWYER HAS
25 REMINDED ME THAT I NEED TO MENTION THAT AND THAT HAS TO

1 BE PART OF THE --

2 THE COURT: BECAUSE THE LAST TIME WE WERE
3 TOGETHER YOU REMINDED ME ABOUT 20 TIMES.

4 MR. IGNALL: YEAH, AND NOW A WEEK LATER I
5 HAVE COMPLETELY FORGOTTEN, BUT YES, THAT NEEDS TO BE
6 INCLUDED AS PART OF THE RESTITUTION SENTENCE.

7 THE COURT: AND I TAKE IT THERE IS NO
8 FORFEITURE ORDER ON EAGLES TICKETS FOR GAMES LONG PAST?

9 MR. IGNALL: I DON'T BELIEVE SO, NO. WE
10 HAVE THE PRELIMINARY FORFEITURE THAT YOUR HONOR HAS
11 ALREADY SIGNED. SO I THINK IF THE COURT PRONOUNCES THAT
12 AS PART OF THE SENTENCE, THAT WOULD BE SUFFICIENT.

13 THE COURT: OKAY.

14 MR. IGNALL: THANK YOU, YOUR HONOR.

15 THE COURT: I JUST WANT YOU TO KNOW THAT
16 I PAY ATTENTION TO WHAT YOU SAY --

17 MR. IGNALL: NOW I NEED TO PAY ATTENTION
18 TO WHAT I SAY.

19 THE COURT: -- FROM TIME TO TIME.

20 (BRIEF PAUSE IN THE PROCEEDING.)

21 MR. WILSON: THANK YOU, YOUR HONOR.

22 THE COURT: RIGHT. OKAY.

23 HAVING RECEIVED THE GOVERNMENT'S 5K1.1
24 MOTION, WHICH, IN FACT, IS A VERY IMPRESSIVE ONE,
25 IMPRESSIVE IN TERMS OF THE MEANINGFULNESS AND THE

1 SIGNIFICANCE OF MR. SONOIKI'S ASSISTANCE WHICH IS, IN
2 FACT, RESPONSIBLE FOR ULTIMATELY THE GREAT ACCOMMODATION
3 THAT THERE WILL BE IN THE COURT'S SENTENCE BECAUSE OF
4 HIS ASSISTANCE. I AM DETERMINED TO AND I AM GRANTING
5 THAT MOTION, BECAUSE THE NATURE AND EXTENT OF THIS
6 DEFENDANT'S ASSISTANCE WAS SIGNIFICANT, VERY
7 SIGNIFICANT.

8 BY THE WAY, I DO EXPECT TO SEE YOU AGAIN,
9 SIR, IF THERE IS A TRIAL, BECAUSE YOUR OBLIGATION IS TO
10 TESTIFY THERE, RIGHT?

11 THE DEFENDANT: CORRECT, YES, I WILL,
12 THANK YOU.

13 THE COURT: THE SECTION 5K1.1 ALSO LISTS
14 AS A RELEVANT FACTOR THE COURT'S EVALUATION AND THE
15 SIGNIFICANCE AND USEFULNESS OF A DEFENDANT'S ASSISTANCE.
16 AND IN THIS REGARD I DO RELY VERY MUCH ON THE
17 GOVERNMENT'S EVALUATION THAT YOUR COOPERATION WAS
18 NOTABLE IN A VERY POSITIVE AND EXTRAORDINARY WAY, AND
19 THAT IT DID FURTHER THE GOVERNMENT'S INVESTIGATION, AND
20 IT LED TO INDICTMENTS AND OTHER GUILTY PLEAS. AND I
21 WOULD NOTE THAT BECAUSE YOU ACTUALLY DID PROVIDE SUCH
22 SUBSTANTIVE ASSISTANCE AS COMPARED TO SOME OTHER CASES
23 WHERE THE ASSISTANCE IS A LITTLE MORE SUPERFICIAL, YOU
24 HAVE EARNED YOURSELF A VERY LARGE DEPARTURE HERE FROM
25 WHAT OTHERWISE WOULD BE HAPPENING.

1 THE INFORMATION YOU PROVIDED APPEARS TO
2 HAVE BEEN RELIABLE. I UNDERSTAND THAT IN DOING SO PUT
3 YOU IN A POSITION OF SOME CONSIDERABLE UNDERSTANDABLE
4 DISCOMFORT, IF NOT ACTUAL PHYSICAL RISK. AND YOUR
5 ASSISTANCE WAS, AS HAS BEEN POINTED OUT TO ME, INDEED
6 QUITE TIMELY AND NOT THE RESULT OF, I WANT TO SAY
7 MERELY, NOT BECAUSE I MEAN IT TO BE INSIGNIFICANT, BUT
8 YOUR HELP WAS AS A RESULT OF YOUR OWN CONSCIENCE AND
9 YOUR OWN DECISION AS OPPOSED TO IT BEING A COUNSELED
10 LAWYER-DRIVEN IDEA.

11 SO WHEN I CONSIDER AND I BALANCE ALL OF
12 THESE FACTORS, I AM DETERMINING THAT YOU HAVE PROVIDED
13 IMPORTANT AND TIMELY INFORMATION IN A MATTER OF
14 TREMENDOUS PUBLIC SIGNIFICANCE. NOT IN TERMS OF THE
15 PEOPLE INVOLVED IN THIS PROSECUTION, BECAUSE THAT DOES
16 NOT MATTER TO ME. WHAT MATTERS TO ME IS THE NOTION THAT
17 SOMEBODY IN THE SECURITIES BUSINESS WHO WAS USING INSIDE
18 INFORMATION BASICALLY CAME AND ADMITTED THEIR
19 WRONGDOING, BECAUSE THAT'S A VERY SIGNIFICANT PROBLEM.
20 SO THE GOOD NEWS, BAD NEWS HERE IS NOT ONLY IS IT A BIG
21 PROBLEM THAT YOU HAVE TO KIND OF COME TO GRIPS WITH, BUT
22 BECAUSE YOU HAVE PROVIDED ASSISTANCE AND BECAUSE THOSE
23 ARE IMPORTANT ISSUES. YOU ALSO, WHILE BEING IN GREAT
24 TROUBLE, HAVE HELPED YOURSELF A GREAT DEAL.

25 SO I AM GRANTING THE GOVERNMENT'S MOTION,

1 AND I WOULD BE MOVING JUST TO THE EXTENT THAT THIS IS
2 IMPORTANT FOR OTHER PEOPLE TO LOOK AT, GIVEN THE FACT
3 THAT YOU ARE IN A CRIMINAL HISTORY OF ONE, WHAT I AM
4 DOING IS I AM PUTTING YOU DOWN INTO AN OFFENSE LEVEL OF
5 11. AND THERE YOU HAVE IT IN TERMS OF THE TREMENDOUS
6 DOWNWARD DEPARTURE BENEFIT YOU HAVE SECURED FOR
7 YOURSELF. OKAY.

8 AND I DO THANK YOU ALL VERY MUCH FOR YOUR
9 INPUT AND YOUR CANDOR -- BY THE WAY, I SIGNED THE FORM
10 OF ORDER THAT THE GOVERNMENT PRESENTED.

11 WHEN I CONSIDER WHAT IS A FAIR AND A
12 REASONABLE SENTENCE HERE, I AM TAKING INTO ACCOUNT A LOT
13 OF FACTORS. THERE IS NO SURPRISE HERE, I HAVE BEEN
14 TALKING ABOUT EVERYTHING THAT I THINK IS IMPORTANT. BUT
15 THERE'S THE WAY OF LOOKING AT THEM THAT IS SET OUT IN
16 THE LAW IN SECTION 3553(A) OF TITLE 18 OF THE UNITED
17 STATES CODE, AND HOW THOSE FACTORS RELATE TO YOU AND
18 EVEN A DOWNWARD VARIANCE BEYOND IN ADDITION TO THE
19 DOWNWARD DEPARTURE THAT I'VE ALREADY IMPOSED.

20 I'M GOING TO TRY VERY HARD NOT TO REPEAT
21 MYSELF HERE, EXCEPT TO -- I WILL REPEAT THE POINT ABOUT
22 DECIDING HOW TO SENTENCE A FELLOW HUMAN BEING IS A
23 DIFFICULT TASK. YOUR CASE IS ANOTHER ONE OF THESE
24 EXAMPLES WHERE IF I COULD LIMIT MY CONSIDERATION TO THE
25 IMPACT OF A SENTENCE ON FAMILY, THIS IS A PERFECT

1 EXAMPLE OF WHY THAT IS SO TEMPTING, BUT I CAN'T. AND
2 THAT IS -- AS DIFFICULT AS THIS TASK IS, IT SHOULD BE
3 DIFFICULT. AND I RESIST IN EVERY CASE BEING DRIVEN BY
4 ALL OF THIS NUMBERS ROUTINE THAT THE PUBLIC THINKS
5 SENTENCING IS. THE GOALS OF SENTENCING REALLY ARE NOT
6 QUANTITATIVE, EVEN FOR A SECURITIES ANALYST. THEY ARE
7 QUALITATIVE. YOU CANNOT CRUNCH THE NUMBERS AND COME UP
8 WITH ONE SINGLE RIGHT ANSWER. THE GOALS OF SENTENCING
9 ARE LISTED SORT OF FAMILIARLY. THE FIRST ONE BEING
10 RETRIBUTION, WHICH IS BASICALLY THE IDEA THAT SOCIETY,
11 THE COMMUNITY HAS THE POWER AND THE OBLIGATION TO PUNISH
12 PEOPLE WHO BREAK THE RULES -- WHO KNOWINGLY BREAK THE
13 RULES. AND THAT IS WHY I HAVE HARPED ON THIS NOTION OF
14 YOUR ROLE IN THE SECURITIES FIELD. PART OF THE REASON
15 WHY PEOPLE IN THAT FIELD SEEM TO GET -- I AM NOT GOING
16 TO SAY "EARN," BUT THE REASON THEY GET TO TAKE AWAY A
17 LOT OF MONEY IS BECAUSE WE EXPECT IN RETURN A VERY HIGH
18 SENSE OF DUTY AND FIDUCIARY RESPONSIBILITIES AND THE
19 RULES. SO THAT'S A HUGE PART OF WHAT IS GOING ON HERE
20 IS THE COMMUNICATION -- MOVING TO THE SECOND GOAL OF
21 SENTENCING, OF DETERRENCE.

22 THERE ARE TWO KINDS OF DETERRENCE. ONE
23 IS REAL IMPORTANT IN THIS CASE AND ONE IS LESS
24 IMPORTANT. THE IMPORTANT KIND OF DETERRENCE HERE IS
25 GENERAL DETERRENCE, AND THAT IS TO COMMUNICATE TO THE

1 OUTSIDE WORLD, OTHER PEOPLE IN THE SECURITIES BUSINESS,
2 FOR EXAMPLE, THAT IF THEY DO THIS THEY WILL BE PUNISHED.
3 IT WILL BE PUBLIC, IT WILL BE MORE THAN THEY EVER FEARED
4 IN THEIR WORST NIGHTMARE, BECAUSE EVEN A VERY SMALL
5 PORTION IN THEIR LIFE SUBJECT TO THIS KIND OF PUNISHMENT
6 IS MIND-BOGGLING TO A LOT OF PEOPLE IN THAT WORLD. BUT
7 IF THEY DO WHAT HAS HAPPENED HERE, THERE WILL EVENTUALLY
8 BE PUNISHMENT, AND THAT'S THE IDEA OF GENERAL
9 DETERRENCE, TO KEEP OTHERS FROM DOING THIS.

10 I AM LESS CONCERNED ABOUT A SENTENCE THAT
11 WILL SPECIFICALLY DETER YOU IN THE FUTURE, BECAUSE I
12 ACTUALLY DO BELIEVE THAT IN VIRTUALLY ALL RESPECTS THAT
13 ARE IMPORTANT, YOU HAVE, QUOTE, LEARNED YOUR LESSON. I
14 THINK YOU HAVE, IN FACT, HAD TO WEATHER A GREAT DEAL OF
15 PERSONAL PUNISHMENT, AND THAT HAS THE -- IN TERMS OF
16 YOUR FAMILY, HAVING TO ACKNOWLEDGE TO YOUR FAMILY THAT
17 YOU HAD SOME CLAY FEET, THAT YOU WERE NOT THE STAR THAT
18 THE FAMILY BELIEVED YOU WERE, IN OTHER WORDS, AND YOU
19 TALKED ABOUT THAT. SO I AM NOT SO CONCERNED ABOUT
20 SPECIFIC DETERRENCE.

21 BUT THERE IS A THIRD GOAL OF SENTENCING
22 AND THAT IS TO REDUCE, LIMIT OR OTHERWISE GET RID OF
23 YOUR CAPACITY TO COMMIT A CRIME SUCH AS THIS. AS I
24 SAID, I AM PRETTY SURE YOU WILL HAVE AN UNBELIEVABLY
25 DIFFICULT TIME EVER GETTING A JOB IN THE SECURITIES

1 MARKET AGAIN IN TERMS OF ANY DISCRETIONARY POSITION.
2 AND IN FACT, YOU WILL HEAR THAT AS PART OF THE
3 CONDITIONS OF THE SUPERVISION THAT WILL BE PART OF YOUR
4 SENTENCE, YOU WILL BE OBLIGED TO REFRAIN FROM TRYING TO
5 WORK IN THE SECURITIES FIELD IN A MATTER OF ANY KIND OF
6 DISCRETION. IF YOU ARE -- THAT WOULD NOT MEAN YOU COULD
7 NOT GET A JOB WHERE YOU WERE VERY CLOSELY SUPERVISED BY
8 SOMEBODY WHO KNEW ABOUT YOUR PROBLEMS AND STILL AGREED
9 TO GIVE YOU A JOB IN THE FIELD, IF THEY WERE GOING TO
10 WATCH OUT FOR YOU. BUT THAT'S A REDUCTION OF YOUR
11 CAPACITY TO COMMIT A CRIME LIKE THIS. THERE IS NO
12 QUESTION THAT THE PRIMARY REASON FOR THIS SENTENCE THAT
13 I AM GOING TO BE IMPOSING IS THE GOAL OF GENERAL
14 DETERRENCE, AND THEN A BIT OF THE RETRIBUTION GOAL AS
15 WELL.

16 YOUR FAMILY AND FRIENDS HAVE ASKED ME TO
17 GIVE YOU A, QUOTE, SECOND CHANCE. AND AS I TRIED TO
18 SAY, EVERY DAY YOU GET UP IN THE MORNING YOU GOT A
19 SECOND CHANCE. YOU ARE ALREADY ON YOUR SECOND CHANCE
20 AND DOING PRETTY WELL WITH IT I THINK, ULTIMATELY. SO
21 YES, YOU GET A SECOND CHANCE. BUT YOU CAN'T ERASE WHAT
22 HAS HAPPENED, YOU HAVE TO DEAL WITH IT. AND YOU HAVE
23 GOT -- EVERY DAY THAT YOU GET UP, SIR, YOU HAVE GOT THE
24 FREEDOM TO MAKE A CHOICE BETWEEN DOING THE RIGHT THING
25 OR THE WRONG THING. MY GREAT HOPE AND HUNCH IS THAT YOU

1 WILL BE ALMOST ALWAYS CHOOSING A NOT-WRONG THING TO DO.
2 YOU MAY NOT CHOOSE THE BEST THING TO DO EVERY DAY, BUT
3 NONE OF US DO THAT. BUT I THINK WHEN I FOCUS ON THE
4 FACTORS THAT I HAVE TO TAKE INTO ACCOUNT, THE FIRST ONE
5 IS THE NATURE AND THE CIRCUMSTANCE OF YOUR CRIMES, WE
6 HAVE TALKED ABOUT THAT. AND YOU AND YOUR LAWYER KNOW
7 WHERE I AM, QUOTE, COMING FROM ON THIS.

8 THE SECOND FACTOR IS YOUR OWN HISTORY AND
9 YOUR OWN CHARACTERISTICS. AND AGAIN, I HAVE
10 CONGRATULATED YOU AND YOUR FAMILY ON BEING EXQUISITE
11 EXAMPLES OF THE IMPORTANCE OF FAMILY AND THE
12 LONGSTANDING NATURE OF FAMILY TIES AND WHAT THAT MEANS
13 TO BE IN A FAMILY. I DO SEE THAT YOU HAVE BEEN WELL
14 EDUCATED. I REALLY DO THINK BY NOW YOU SHOULD HAVE
15 FIGURED OUT HOW TO GET YOUR DIPLOMA FIGURED OUT. I
16 TRUST THAT YOU WILL DO THAT, BECAUSE I THINK IT WILL
17 HELP YOU DEAL WITH SOME OF THE INSECURITIES AND
18 DISAPPOINTMENTS THAT YOU HAVE HAD THUS FAR. LET ME JUST
19 SAY THAT THERE IS NO PARTICULAR VALUE TO BE PUT ON A
20 DIPLOMA FROM ANY PARTICULAR INSTITUTION, OKAY? IN FACT,
21 THERE ARE A LOT OF THEM THAT ARE WORTH MORE THAN THE ONE
22 YOU MIGHT HAVE BEEN CHASING. AND BY THE WAY, THERE ARE
23 A LOT OF PEOPLE WHO HAVE HAD FAR FEWER EDUCATIONAL
24 OPPORTUNITIES THAN YOUR FOLKS MADE AVAILABLE TO YOU AND
25 THAT YOU MADE AVAILABLE TO YOURSELF, BY THE WAY. I KIND

1 OF SEE THAT. BUT THERE ARE MANY, MANY, MANY PLACES TO
2 GET AN EXQUISITE EDUCATION AND TO DO REALLY WELL. SO I
3 REALLY DO URGE YOU TO GET THAT PULLED TOGETHER.

4 OBVIOUSLY WE KNOW THAT YOU HAVE NO OTHER
5 CRIMINAL BACKGROUND, WHICH IS GREAT. YOU HAVE MANY
6 SKILLS. I DO APPRECIATE THE FACT THAT YOU PROBABLY ARE
7 GOING TO NEED CONTINUED ENCOURAGEMENT TO REMAIN
8 EMOTIONALLY AND MENTALLY HEALTHY. AND THERE ARE
9 PROBABLY IS GOING TO BE SOME ADDITIONAL ENCOURAGEMENT OF
10 YOU TO GET THAT KIND OF ATTENTION PERIODICALLY THROUGH
11 YOUR PROBATION OFFICER'S INPUT.

12 YOUR GENERAL ATTITUDE, AT LEAST IN TERMS
13 OF WHAT I HAVE SEEN AND MORE PARTICULARLY IN TERMS OF
14 YOUR COOPERATION THAT LED TO THE 5K1.1 MOTION BEING
15 GRANTED, IS ENTIRELY APPROPRIATE. YOU HAVE EXPRESSED
16 REMORSE. YOU HAVE EXPRESSED A FAIR AMOUNT OF A SENSE OF
17 ACCOUNTABILITY, ALTHOUGH I WOULD URGE YOU NOT TO BE
18 TEMPTED TO BLAME OTHER PEOPLE IN THIS SCENARIO. THERE
19 IS ENOUGH BLAME TO GO AROUND. YOU MIGHT AS WELL TAKE
20 YOUR OWN BLAME AND GO FORWARD. AND YOU HAVE GOOD GOALS.
21 I THINK AS I SAID, YOU ARE A YOUNG MAN, AND YOU ARE
22 GOING TO PUT TOGETHER A PACKAGE FOR A VERY PRODUCTIVE
23 LIFE, I'M SURE.

24 THE THIRD FACTOR IS THE NEED TO IMPOSE A
25 SENTENCE THAT REFLECTS THE SERIOUSNESS OF YOUR CRIME AND

1 ACKNOWLEDGES THE FACT THAT THIS KIND OF CRIME DOES HAVE
2 AN IMPACT ON THE COMMUNITY AND ON VICTIMS. THERE IS A
3 NEED TO IMPOSE A SENTENCE THAT DOES PROMOTE RESPECT FOR
4 THE LAW, AND THAT MEANS THAT SHOWING THE PUBLIC THAT THE
5 LAW DOES NOT HAVE TO BE THE MOST SEVERELY IMPOSED IN
6 ORDER TO BE EFFECTIVE. THERE IS A NEED TO IMPOSE A
7 SENTENCE THAT DETERS OTHER PEOPLE, AS I POINTED OUT.
8 AND THAT WILL BE A PROTECTION OF THE PUBLIC, I HOPE.

9 THE FOURTH FACTOR IS THE KINDS OF
10 SENTENCES THAT ARE AVAILABLE. REALLY THERE IS -- IN
11 THIS INSTANCE, THERE IS A COMBINATION OF A VERY BRIEF
12 PERIOD OF INCARCERATION, SOME SUPERVISION, DURING WHICH
13 THERE WILL BE SOME CLOSER ATTENTION PAID TO YOU. THERE
14 WILL BE -- THERE IS THE OPTION OF COMMUNITY SERVICE,
15 WHICH YOU WILL HEAR ABOUT IN A MOMENT. THERE IS REALLY
16 -- I VACILLATED, TO BE CANDID HERE, ON THE AMOUNT OF A
17 FINE IN COMPARISON TO ANOTHER DEFENDANT IN THIS
18 CONSPIRACY. IN THIS SCENARIO, THERE IS NO WAY YOU HAVE
19 THE SAME AMOUNT OF FINANCIAL WHEREWITHAL, BUT BECAUSE
20 THIS CRIME WAS, IN FACT, ULTIMATELY YOUR BEING ENAMORED
21 OF MONEY, THERE IS GOING TO BE A RELATIVELY MINOR FINE
22 THAT I'M GOING TO IMPOSE, AND THAT'S ONE OF OPTIONS THAT
23 I HAVE GOT HERE. YOU WILL BE ORDERED TO FORFEIT
24 FORMALLY THE \$10,000 THAT YOU WERE PAID. I DON'T KNOW
25 WHERE THAT IS, IF IT'S -- THE FORFEITURE IS THE \$10,000?

1 MR. IGNALL: \$10,000, THAT'S CORRECT,
2 YOUR HONOR.

3 THE COURT: DOES HE HAVE IT OR DID WE GET
4 IT BACK?

5 MR. IGNALL: WE HAVE NOT GOTTEN IT BACK
6 YET, YOUR HONOR.

7 THE COURT: THERE IS NO DISPUTE ABOUT
8 THAT, IS THERE, ABOUT THE FORFEITING?

9 MR. WILSON: NO, YOUR HONOR.

10 THE COURT: SO IN TERMS OF THE KINDS OF
11 SENTENCES AVAILABLE, THERE'S A COMBINATION. THE RANGES
12 THAT ARE RECOMMENDED. WE HAVE TALKED ABOUT THE VARIOUS
13 GUIDELINE RANGES THAT WERE AT RISK HERE, OR AT PLAY.
14 BUT I WANT TO REMIND YOU AND YOUR FAMILY THAT UNDER
15 COUNT 1 THAT YOU ARE GUILTY OF, YOU COULD BE SENT TO
16 PRISON FOR FIVE YEARS, AND ANOTHER 20 YEARS ON COUNT 2.
17 THAT'S WHAT THE LAW WOULD ALLOW. BECAUSE YOU WOULD BE
18 SUBJECT TO THREE YEARS PER COUNT OF SUPERVISION. BY
19 LAW, YOU COULD BE PUT ON PROBATION BETWEEN ONE AND
20 FIVE YEARS FOR EACH OF THE TWO COUNTS. YOU ARE SUBJECT
21 TO A FINE OF 200 -- A QUARTER MILLION DOLLARS ON COUNT 1
22 AND UP TO \$5 MILLION ON COUNT 2. AND THEN, OF COURSE,
23 THERE IS THE UBIQUITOUS \$100 SPECIAL ASSESSMENT PER
24 COUNT.

25 THE SIXTH FACTOR THAT I HAVE TO TAKE INTO

1 ACCOUNT IS THE PERTINENT POLICY STATEMENTS FROM THE
2 SENTENCING COMMISSION, WITH WHICH I AM FAMILIAR. THERE
3 IS THE NEED TO AVOID UNJUSTIFIED DIFFERENCES IN THE
4 SENTENCES FOR DEFENDANTS WHO APPEAR ON PAPER TO LOOK THE
5 SAME. YOUR LAWYER POINTED OUT THAT IN THE AREA OF
6 CO-CALLED FINANCIAL CRIMES OF THIS SORT, THERE ARE WIDE
7 SWINGS. THERE ARE, IN FACT, JUST BUILT-IN, BAKED-IN
8 DISPARITIES, BECAUSE EACH OF THESE CASES REALLY IS VERY
9 DIFFERENT.

10 AND IN FACT, THAT UNDERSCORES THE FACT
11 THAT THE SUPREME COURT POINTS OUT THAT THERE IS A NEED
12 TO AVOID UNWARRANTED SIMILARITIES AMONG DEFENDANTS WHO
13 ARE NOT REALLY SIMILARLY SITUATED, WHICH IS WHY -- THIS
14 CASE BEING AN EXAMPLE -- I SPEND BETWEEN TWO AND
15 THREE HOURS IN COURT ON EACH OF THESE CASES, BECAUSE
16 EVERYBODY IS AN INDIVIDUAL AND UNIQUE.

17 THE FINAL FACTOR IN THIS CASE, WHICH IS,
18 YOU KNOW, EXTREMELY IMPORTANT TO YOU, IS THE GRANTING OF
19 THE GOVERNMENT'S MOTION UNDER 5K1.1 AND THE ADJECTIVES
20 AND ADVERBS THAT SEASONED THE GOVERNMENT'S PRESENTATION
21 IN A RATHER EXTRAORDINARY WAY, YOU SHOULD KNOW THAT.

22 OKAY. SO ON THE BASIS OF WHAT WE HAVE
23 DISCUSSED AND WHAT I HAVE DISCUSSED WITH COUNSEL, IT'S
24 MY INTENTION TO SENTENCE YOU TO ONE MONTH OF
25 INCARCERATION PER COUNT, BUT THAT ONE MONTH TO RUN

1 CONCURRENTLY. SO IT WILL BE ONE MONTH ON EACH COUNT,
2 BUT ONE MONTH ALTOGETHER IN THE AGGREGATE. THERE WILL
3 BE A REPORTING TIME OF ABOUT A MONTH-AND-A-HALF FROM
4 NOW. AND AS I AM SURE MR. WILSON HAS EXPLAINED TO YOU,
5 THAT WOULD BE THE TIME FOR YOU TO ARRANGE THINGS WITH
6 YOUR EMPLOYER TO FIND OUT AND EXPLAIN YOUR SITUATION.

7 IT IS ALSO MY INTENTION TO IMPOSE A
8 PERIOD OF THREE YEARS OF SUPERVISED RELEASE, DURING
9 WHICH YOU WILL BE ORDERED TO PERFORM 225 HOURS OF
10 COMMUNITY SERVICE. THAT WORKS OUT TO 75 HOURS PER YEAR
11 OF SUPERVISION. I HAD TO DO THE MATH HERE. AND THAT IS
12 BECAUSE I THINK YOU ARE AS AN ARTICULATE YOUNG MAN WHO
13 HAS A SOMEWHAT UNIQUE EXPERIENCE IN TERMS OF YOUR
14 IMMIGRATION AND YOUR FAMILY AND YOUR IMPORTANCE OF
15 KNOWING HOW IMPORTANT EDUCATION IS, I THINK YOU HAVE GOT
16 A LOT OF GOOD THINGS TO IMPART TO YOUNG PEOPLE. AND I
17 HOPE THAT THIS ORDERING YOU TO PERFORM COMMUNITY SERVICE
18 WILL GIVE YOU THAT OPPORTUNITY TO SHARE THAT
19 PERSPECTIVE.

20 I AM GOING TO IMPOSE A RELATIVELY MINOR
21 FINE OF \$5,000, PLUS THE \$200 SPECIAL ASSESSMENT. THAT
22 IS MY INTENTION. I AM NOT GOING TO IMPOSE ANY KIND OF
23 CONFINEMENT DURING SUPERVISION, BECAUSE I DO THINK THAT
24 WITHIN REASON AND YOU WORKING WITH YOUR PROBATION
25 OFFICER, I WOULD LIKE TO SEE YOU BE ABLE TO PURSUE ANY

1 LEGITIMATE JOB OFFERS THAT MIGHT PRESENT THEMSELVES.
2 THAT'S WHY THERE IS NOT GOING TO BE A HOME CONFINEMENT
3 AT ALL.

4 ANY REASON THAT ANYBODY CAN THINK OF THAT
5 THIS PROPOSED SENTENCE SHOULD NOT BE IMPOSED OR WHY IT
6 DOES NOT SERVE THE PURPOSES OF SENTENCING?

7 MR. IGNALL: THE ONLY ADDITION I WOULD
8 HAVE, OF COURSE, WOULD BE THE FORFEITURE, YOUR HONOR,
9 YES.

10 THE COURT: YES, OF COURSE.

11 MR. WILSON: YOUR HONOR, MY CLIENT IS
12 ASKING --

13 I HAVE NO LEGAL REASON TO OBJECT TO THE
14 SENTENCE, YOUR HONOR.

15 THE PROBATION OFFICER: NO, YOUR HONOR.

16 THE COURT: OKAY. MR. SONOIKI, CAN YOU
17 PLEASE STAND UP. PURSUANT TO THE SENTENCING REFORM ACT
18 OF 1984, IT IS THE JUDGMENT OF THE COURT THAT THE
19 DEFENDANT, DAMILARE SONOIKI, IS HEREBY COMMITTED TO THE
20 CUSTODY OF THE BUREAU OF PRISONS TO BE IMPRISONED FOR A
21 TERM OF ONE MONTH ON EACH OF COUNTS 1 AND 2, SUCH TERMS
22 TO BE SERVED CONCURRENTLY, MEANING THE SAME TIME. UPON
23 YOUR RELEASE FROM IMPRISONMENT, YOU WILL BE PLACED ON
24 SUPERVISED RELEASE FOR A TERM OF THREE YEARS ON EACH OF
25 THE COUNTS 1 AND 2, SUCH TERMS TO ALSO RUN CONCURRENTLY.

1 WITHIN 72 HOURS OF YOUR RELEASE FROM THE CUSTODY OF THE
2 BUREAU OF PRISONS, YOU MUST REPORT IN PERSON TO THE
3 PROBATION OFFICER WHERE YOU ARE RELEASED. WHILE YOU ARE
4 ON SUPERVISED RELEASE, YOU MUST NOT COMMIT ANY OTHER
5 FEDERAL, STATE OR LOCAL CRIME. YOU ARE PROHIBITED FROM
6 POSSESSING ANY FIREARM. BY THE WAY, YOU CANNOT POSSESS
7 A FIREARM NOW AT ALL AS A CONVICTED FELON, BUT
8 PARTICULARLY DURING SUPERVISED RELEASE, IT WOULD BE A
9 SUPER BAD IDEA TO GET INVOLVED IN ANY KIND OF GUNS. I
10 DON'T HAVE ANY REASON TO THINK THAT YOU HAVE GOT THAT,
11 BUT THERE YOU GO. NOR SHOULD YOU POSSESS ANY ILLEGAL
12 CONTROLLED SUBSTANCES, AND YOU MUST COMPLY WITH THE
13 OTHER STANDARD CONDITIONS THAT HAVE BEEN ADOPTED BY THIS
14 COURT.

15 THERE ARE 13 OF THEM. I CAN READ THEM TO
16 YOU OR YOU CAN READ THEM ON YOUR OWN. YOU WILL BE GIVEN
17 THEM IN WRITING. WHICH WOULD YOU PREFER?

18 THE DEFENDANT: I CAN READ THEM ON MY
19 OWN, YOUR HONOR.

20 THE COURT: YOU SHOULD KNOW I AM VERY
21 FAMILIAR WITH THEM, THOUGH. TO THE EXTENT YOU THINK
22 THAT THEY RESTRICT YOUR LIBERTIES WHILE IN PLACE, THE
23 COURT HAS CONCLUDED THOSE RESTRICTIONS ARE NO GREATER
24 THAN ARE APPROPRIATE UNDER THE CIRCUMSTANCES. YOU WILL
25 BE REQUIRED TO SUBMIT TO ONE DRUG TEST WITHIN 15 DAYS OF

1 THE START OF SUPERVISED RELEASE, AND THEN AT LEAST TWO
2 TESTS THEREAFTER AS DETERMINED BY YOUR PROBATION
3 OFFICER. AND YOU WILL BE REQUIRED TO SUBMIT TO THE
4 COLLECTION OF A DNA SAMPLE AT THE DIRECTION OF YOUR
5 PROBATION OFFICER.

6 IN ADDITION, WITH RESPECT TO THE
7 SUPERVISION, YOU MUST PARTICIPATE IN A MENTAL HEALTH
8 PROGRAM FOR EVALUATION AND/OR TREATMENT AT THE
9 DISCRETION OF THE PROBATION OFFICE. AND THEN IF YOU ARE
10 ENROLLED IN SUCH A PROGRAM, YOU HAVE TO LIVE BY THE
11 RULES OF ANY SUCH PROGRAM UNTIL YOU HAVE BEEN
12 SATISFACTORILY DISCHARGED FROM IT.

13 YOU ALSO WILL BE REQUIRED TO PROVIDE THE
14 PROBATION OFFICE WITH A FULL DISCLOSURE OF YOUR
15 FINANCIAL RECORDS, INCLUDING YEARLY INCOME TAX RETURNS,
16 IF REQUESTED. AND THEN YOU WILL BE REQUIRED TO
17 COOPERATE WITH THE PROBATION OFFICE IN THE INVESTIGATION
18 OF ANY OF YOUR FINANCIAL DEALINGS AND PROVIDE TRUTHFUL
19 MONTHLY STATEMENTS OF YOUR INCOME. YOU ARE PROHIBITED
20 FROM INCURRING ANY NEW CREDIT CHARGES OR ANY LINES OF
21 CREDIT WITHOUT THE APPROVAL OF THE COURT OR THE
22 PROBATION OFFICE UNLESS YOU HAVE COMPLIED WITH THE
23 PAYMENT SCHEDULE THAT I AM GOING TO PUT INTO PLACE, FOR
24 THE PAYMENT OF THE FINE THAT I WILL BE ADDRESSING HERE
25 IN A MOMENT. YOU MUST NOT ENCUMBER OR LIQUIDATE ANY

1 ASSET UNLESS IT IS IN DIRECT SERVICE OF THE FINE THAT
2 WILL BE IMPOSED, OR OTHERWISE HAS THE COURT'S EXPRESS
3 APPROVAL. DURING YOUR PERIOD OF SUPERVISION, YOU MUST
4 NOT WORK IN THE SECURITIES FIELD UNLESS IT IS UNDER THE
5 DIRECT CAREFUL SUPERVISION OF A LICENSED SECURITIES
6 PROFESSIONAL. YOU ALSO WILL BE REQUIRED TO COMPLETE
7 75 HOURS OF COMMUNITY SERVICE PER YEAR OF SUPERVISION AS
8 DIRECTED BY THE PROBATION OFFICE DURING THE PERIOD OF
9 YOUR SUPERVISED RELEASE.

10 I ORDER ALSO THAT YOU PAY TO THE UNITED
11 STATES A TOTAL FINE IN THE AMOUNT OF \$5,000. IT IS DUE
12 IMMEDIATELY, BUT I WILL WAIVE ANY INTEREST ON THIS FINE
13 AS LONG AS YOU REMAIN IN COMPLIANCE WITH A PAYMENT
14 SCHEDULE OF NOT LESS THAN \$500 PER MONTH STARTING 60
15 DAYS FROM YOUR RELEASE FROM CONFINEMENT.

16 I ALSO THEN, FINALLY, ORDER THAT YOU PAY
17 TO THE UNITED STATES A TOTAL SPECIAL ASSESSMENT OF \$200.
18 BY THE WAY, YOU WILL NEED TO NOTIFY THE UNITED STATES
19 ATTORNEY IN THIS DISTRICT WITHIN 30 DAYS OF ANY CHANGE
20 OF YOUR MAILING OR RESIDENTIAL ADDRESS WHILE ANY PORTION
21 OF THE \$5,000 FINE REMAINS UNPAID.

22 FINALLY, I WILL BE ORDERING AND SIGNING A
23 FORFEITURE ORDER IN THE AMOUNT OF \$10,000 REFLECTING THE
24 AMOUNT OF MONEY YOU WERE PAID IN CONNECTION WITH THE
25 ILL-GOTTEN AND ILL-CONCEIVED TRANSACTIONS AT ISSUE.

1 YOU CAN NOW SIT DOWN.

2 I WILL POINT OUT, SIR, THAT I DO NOT KNOW
3 WHERE THE BUREAU OF PRISONS MIGHT DESIGNATE YOU FOR THIS
4 VERY SHORT ONE-MONTH PERIOD. IT'S COMPLETELY UP TO
5 THEM, THEM BEING THE BUREAU OF PRISONS. I WILL
6 RECOMMEND THAT IF THERE IS ACTUALLY A PHYSICAL
7 INCARCERATION THAT IT BE AS CLOSE TO YOUR MOM'S HOME IN
8 HOUSTON AS POSSIBLE. I AM GUESSING YOU ARE GOING TO GO
9 BACK THERE TO LIVE IN THE MEANTIME?

10 THE DEFENDANT: YES, YOUR HONOR.

11 THE COURT: I ALSO WILL BE ORDERING A
12 SELF-REPORT DATE OF ABOUT 45 DAYS FROM NOW, WHICH
13 ROUGHLY -- THE REASON I AM DOING THIS IS IT TAKES THE
14 BUREAU OF PRISONS ABOUT A MONTH, MONTH-AND-A-HALF TO
15 FIGURE OUT WHAT TO DO WITH FOLKS.

16 TODAY IS THE 29TH. SO YOUR REPORT DATE
17 WILL BE SEPTEMBER 14TH. THAT'S A TUESDAY, IS THAT ABOUT
18 RIGHT?

19 MR. IGNALL: THAT MAY BE, AND MAY WE
20 REVISIT THAT, YOUR HONOR, DEPENDING UPON WHEN THE RAMSEY
21 TRIAL IS?

22 THE COURT: OF COURSE.

23 MR. IGNALL: OKAY. THANK YOU, YOUR
24 HONOR.

25 THE COURT: THAT'S ALWAYS SUBJECT TO

1 THOSE .

2 MR. IGNALL: THANK YOU, YOUR HONOR .

3 THE COURT: YOUR REPORT DATE TO THE U.S .

4 MARSHAL WILL BE TUESDAY, SEPTEMBER 14TH, NO LATER THAN

5 2 O'CLOCK IN THE AFTERNOON. MY EXPECTATION WOULD BE

6 THAT IT WOULD BE IN THE MARSHAL'S OFFICE, ASSUMING THEY

7 DO THIS IN -- WHICH DISTRICT IS HOUSTON?

8 MR. WILSON: SOUTHERN DISTRICT, YOUR

9 HONOR .

10 YOUR HONOR, THERE'S ALSO THE POSSIBILITY

11 THAT HE WILL BE DESIGNATED BY THEN AND HE CAN REPORT

12 DIRECTLY TO THE FACILITY .

13 THE COURT: ABSOLUTELY. THAT WOULD BE

14 LIKE THE BEST NEWS OF ALL. BUT I PICKED THAT DAY FOR A

15 PARTICULAR REASON, OR THAT TIME PERIOD. AS I AM SURE

16 MR. WILSON HAS TOLD YOU, IT WOULD BE MY STRONG

17 RECOMMENDATION THAT YOU WORK WITH, INCLUDING CALLING

18 UPON MR. WILSON OR EVEN PERHAPS MR. IGNALL, TO REACH OUT

19 TO THE FOLKS THAT YOU ARE WORKING WITH, THESE TWO JOBS ,

20 TO EXPLAIN THE COMPARATIVE MINOR NATURE OF THIS

21 PARTICULAR SENTENCE AND THE GREAT FLEXIBILITY THAT YOU

22 WILL HAVE AS A RESULT OF IT .

23 AND THEN THIS TRANSCRIPT WILL BE

24 AVAILABLE FOR MR. WILSON TO PICK AND CHOOSE PORTIONS OF

25 THE COURT'S COMMENTS, IF THOSE ARE USEFUL IN DEALING

1 WITH THE EMPLOYER. BUT YOU BETTER SHOW UP BY 2 O'CLOCK
2 WHENEVER AND WHEREVER YOU ARE TOLD TO SHOW UP. BECAUSE
3 YOUR FAILURE TO REPORT AND SURRENDER YOURSELF, BY THE
4 14TH OF SEPTEMBER OR ANY OTHER DATE OR TIME OR LOCATION
5 THAT YOU ARE TOLD TO REPORT, IS ITSELF A CRIMINAL
6 OFFENSE, SO YOU WOULD NOT WANT TO MESS UP ON THIS.

7 YOU CAN APPEAL YOUR CONVICTION IF YOU
8 THINK YOUR GUILTY PLEA WAS SOMEHOW UNLAWFUL OR NOT
9 VOLUNTARY, OR IF YOU THINK THERE WAS SOME OTHER
10 FUNDAMENTAL DEFECT IN THE PROCEEDING THAT YOU DIDN'T
11 WAIVE BY YOUR GUILTY PLEA. YOU ALSO HAVE THE STATUTORY
12 RIGHT TO APPEAL THIS SENTENCE IF YOU THINK SOMEHOW IT'S
13 CONTRARY TO LAW. YOU CAN CONFER WITH MR. WILSON ABOUT
14 THAT. YOU HAVE THE RIGHT TO APPLY FOR WHAT WE CALL
15 LEAVE TO APPEAL IN FORMA PAUPERIS, WHICH MEANS YOU DON'T
16 HAVE ENOUGH MONEY TO FILE THE PAPERS, AND THE CLERK WILL
17 FILE A NOTICE OF APPEAL FOR YOU AT YOUR REQUEST IF YOU
18 HAVE APPLIED FOR IN FORMA PAUPERIS STATUS.

19 IN ANY AND ALL EVENTS, SIR, YOU NEED TO
20 KNOW FOR ANY APPEAL TO BE EFFECTIVE, YOU HAVE TO FILE
21 THE NOTICE OF APPEAL WITHIN 14 DAYS OF TODAY'S DATE. IF
22 YOU WAIT LONGER THAN THAT, THEN THERE WON'T BE ANY
23 REVIEW OF EITHER YOUR CONVICTION OR YOUR SENTENCE.

24 DO YOU UNDERSTAND ALL OF THAT?

25 THE DEFENDANT: YES, YOUR HONOR.

1 THE COURT: DO YOU HAVE ANY QUESTIONS
2 ABOUT ANY PART OF TODAY'S PROCEEDING?

3 THE DEFENDANT: NO, YOUR HONOR.

4 THE COURT: OKAY.

5 MR. WILSON: YOUR HONOR, MAY I JUST
6 ADDRESS ONE ISSUE WITH MY CLIENT?

7 THE COURT: YES, OF COURSE.

8 (BRIEF PAUSE IN THE PROCEEDING.)

9 MR. WILSON: YOUR HONOR, I AM GOING TO
10 ASK FOR ONE MORE RECOMMENDATION. IT'S NOT TO THE BUREAU
11 OF PRISONS BUT TO PROBATION, THAT YOUR HONOR CONSENT TO
12 THE TRANSFER OF SUPERVISION, NOT JURISDICTION, BUT THE
13 TRANSFER OF SUPERVISION TO THE SOUTHERN DISTRICT OF
14 TEXAS, BECAUSE -- AND I THINK THAT WILL MAKE IT DEFINITE
15 THAT HE GETS RELEASED TO HIS MOTHER'S RESIDENCE AS
16 OPPOSED TO THE BUREAU OF PRISONS DOING SOMETHING CRAZY
17 LIKE SAYING THAT HE HAS TO COME BACK TO PHILADELPHIA TO
18 RESIDE, WHERE HE HAS NEVER RESIDED.

19 THE COURT: ASSUMING THAT YOU MEAN CRAZY
20 IN SOME SORT OF -- -

21 MR. WILSON: I MEAN IT THE WAY I SAID IT,
22 YOUR HONOR.

23 THE COURT: SOME SORT OF GENERIC
24 FAMILIAR, RIGHT?

25 MR. WILSON: I DON'T CARE IF THEY FIND

1 OUT. I MEANT IT THE WAY I SAID IT.

2 THE COURT: I'M SURE YOU DON'T CARE, BUT
3 I CARE. YES, THAT'S FINE. I HAVE NO OBJECTION TO THE
4 TRANSFER OF SUPERVISION. IT MAKES SENSE TO ME, FRANKLY.

5 MR. WILSON: THANK YOU, YOUR HONOR.

6 THE COURT: PROVIDED THAT THE FOLKS IN
7 THE SOUTHERN DISTRICT OF TEXAS --

8 MR. WILSON: THEY HAVE TO ACCEPT,
9 OBVIOUSLY.

10 THE COURT: -- DON'T FEEL THAT THEY THEN
11 HAVE THE RIGHT TO DO ANYTHING, QUOTE, CRAZY. OR LET
12 THIS -- SOMETIMES THESE TRANSFER OF SUPERVISION END UP
13 BEING ONLY NOMINAL AND ONLY SUPERFICIAL. I MUCH PREFER
14 KNOWING WHAT IS GOING ON.

15 MR. WILSON: I HAVE NOT HAD THAT
16 EXPERIENCE.

17 THE COURT: THE CASE IS NOT BEING
18 TRANSFERRED. AS MUCH AS I AM QUITE ENAMORED OF THE
19 CHIEF JUDGE IN THE SOUTHERN DISTRICT OF TEXAS, JUDGE
20 ROSENTHAL, WHO IS TERRIFIC AND WITH WHOM I COMMUNICATE
21 REGULARLY, I DON'T REALLY WANT TO LOSE TRACK OF THIS
22 DEFENDANT.

23 MR. WILSON: THANK YOU, YOUR HONOR.

24 THE COURT: INTO THE WILDS OF CALIFORNIA,
25 FOR EXAMPLE.

1 MR. WILSON: HE WOULD NOT GO TO
2 CALIFORNIA, YOUR HONOR, WITHOUT FIRST GETTING APPROVAL
3 OF YOUR HONOR.

4 THE COURT: OKAY. FAIR ENOUGH. YOU HAVE
5 HEARD IT HERE.

6 MR. WILSON: WE HAVE DISCUSSED THAT.

7 THE COURT: OKAY.

8 ANYTHING ELSE FROM ANYBODY?

9 MR. IGNALL: NO, YOUR HONOR.

10 THE COURT: WE GOT THE FORFEITURE TAKEN
11 CARE OF?

12 MR. IGNALL: I BELIEVE WE DID, YES, THANK
13 YOU, YOUR HONOR.

14 THE COURT: BUT I WILL NEED ANOTHER FORM,
15 I GUESS I --

16 MR. IGNALL: I BELIEVE YOUR HONOR ALREADY
17 SIGNED THE ORDER?

18 THE COURT: OKAY, WELL, THEN IT'S
19 IMPOSED.

20 MR. IGNALL: IT NEEDED TO BE A PART OF
21 THE SENTENCE.

22 THE COURT: THAT'S FINE.

23 MR. SONOIKI, YOU OWE YOUR FAMILY A HUGE
24 DEBT OF GRATITUDE, BECAUSE THEIR WORDS WERE, ALONG WITH
25 MR. IGNALL'S AND YOUR LAWYER'S, WERE EXTREMELY HELPFUL

1 TO YOU IN YOUR SITUATION.

2 THE DEFENDANT: THANK YOU, YOUR HONOR.

3 THANK YOU FOR YOUR CONSIDERATION AND ALSO THANK YOU FOR
4 LETTING ME TRAVEL TO NIGERIA FOR MY --

5 THE COURT: YOU SHOULD BE ABLE TO DO
6 THAT. I AM A HUGE FAN, AS THE LAWYERS WILL TELL YOU, OF
7 FAMILY AND HONORING FAMILY ROOTS.

8 THE DEFENDANT: THANK YOU.

9 THE COURT: RIGHT. THANK YOU ALL VERY
10 MUCH.

11 (COURT ADJOURNED.)

12

13 I CERTIFY THAT THE FOREGOING IS A CORRECT
14 TRANSCRIPT FROM THE RECORD OF PROCEEDINGS IN THE
15 ABOVE-ENTITLED MATTER.

16 September 1, 2021

17 DATE

Lynn Gligor
OFFICIAL COURT REPORTER

18 LYNN GLIGOR, RMR

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